Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Floyd Tank Battery, located off Cattle Drive, approximately 0.4 mile north of State Loop 338, south of Odessa, Ector County;

Aunt Bee Tank Battery, located on a private road, approximately two miles east of the intersection of State Highway 385 and State Loop 338, and 0.3 mile south of State Loop 338, south of Odessa, Ector County;

Helen Crump Tank Battery, located on a private road, approximately 1,600 feet south of State Highway 338 and 1,000 feet west of South Holloman Avenue, south of Odessa, Ector County; and

Thelma Lou-Otis Tank Battery, located adjacent to the west side of Crane Avenue, approximately 0.7 mile south of Interstate 20, south of Odessa, Ector County.

Type of Operation:

Tank batteries

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this

matter but does not wish to speak at Agenda.

Texas Register Publication Date: June 24, 2011

Comments Received: No

Penalty Information

Total Penalty Assessed: \$72,777

Amount Deferred for Expedited Settlement: \$14,554 Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$58,223

Total Due to General Revenue: \$0

Payment Plan: N/A **SEP Conditional Offset:** \$0 Name of SEP: N/A

Compliance History Classifications, Aunt Bee Tank Battery:

Person/CN - Average

Site/RN - Average by Default

Compliance History Classifications, Floyd Tank Battery:

Person/CN - Average

Site/RN - High

Compliance History Classifications, Helen Crump Tank Battery:

Person/CN - Average

Site/RN - Average by Default

Compliance History Classifications, Thelma Lou-Otis Tank Battery:

Person/CN - Average

Site/RN - High

Major Source: Floyd Tank Battery, Helen Crump Tank Battery, Aunt Bee Tank

Battery

Minor Source: Thelma Lou-Otis Tank Battery

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002

Investigation Information

Complaint Date(s): (See below)

Complaint Information: Floyd Tank Battery – September 24, 2010 and September 29, 2010 for raw gas odors; October 8, 2010 and October 14, 2010 for strong gas smells; October 10, 2010 for no flame on flare and noises from the storage tank.

Aunt Bee Tank Battery – September 13, 2010, strong odor and hissing noises.

Date(s) of Investigation: September 13, 2010 through October 27, 2010

Date(s) of NOE(s): October 15, 2010 and October 29, 2010

Violation Information

- 1. Failed to obtain permit authorization for the Floyd Tank Battery. Specifically, the Respondent exceeded the annual emission rate of 22.8 tons per year ("tpy") of volatile organic compounds ("VOC") emissions certified and registered under PBR Registration No. 91767, issued on February 24, 2010, by 43.3 tons of VOC; therefore, the Floyd Tank Battery cannot satisfy the conditions of the PBR for oil and gas production facilities [30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)].
- 2. Failed to submit an abbreviated application for a federal operating permit when the potential to emit ("PTE") exceeded 100 tpy of VOC at the Floyd Tank Battery. Specifically, in the PBR registration, the natural gas throughput was certified/represented as 120,000 standard cubic feet per day ("scf/day"). Throughput data from September and October 2010, showed throughput as high as 970,000 scf/day with an average of 800,000 scf/day. Based on this data, the PTE is approximately 152 tpy of VOC [30 Tex. Admin. Code §§ 122.121 and 122.130(b)(1) and Tex. Health & Safety Code §§ 382.054 and 382.085(b)].

- 3. Failed to prevent nuisance emissions on September 24, 2010 at the Floyd Tank Battery. Specifically, the Odessa Fire Department ("OFD") responded to a report of a natural gas leak at the Floyd Tank Battery, arriving at 6:36 a.m. on September 24, 2010. The OFD found a gas line venting, and the OFD's gas monitor showed a reading of 11% of the lower explosive limit [30 Tex. Admin. Code § 101.4 and Tex. Health & Safety Code § 382.085(a) and(b)].
- 4. Failed to prevent nuisance odor emissions on September 29, 2010, at the Floyd Tank Battery. Specifically, TCEQ investigators responding to an odor complaint, observed visible emissions from the Enardo valve and tank hatch from one of the four tanks at the Floyd Tank Battery and confirmed a nuisance odor off-site and downwind of the tanks [30 Tex. Admin. Code § 101.4 and Tex. Health & Safety Code § 382.085(a) and(b)].
- 5. Failed to obtain permit authorization for the Aunt Bee Tank Battery. Specifically, the Respondent exceeded the throughput rate for natural gas and the annual emission rate of 22.45 tpy of VOC certified and registered under PBR Registration No. 92134, issued April 8, 2010, by 9.85 tpy of VOC; therefore, the Aunt Bee Tank Battery cannot satisfy the conditions of the PBR for oil and gas production facilities [30 Tex. ADMIN. CODE § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)].
- 6. Failed to submit an abbreviated application for a federal operating permit when the PTE exceeded 100 tpy of VOC at the Aunt Bee Tank Battery. Specifically, in the PBR registration, the natural gas throughput was certified/represented as 119,000 scf/day. Throughput data from September 2010 showed throughput at 650,000 scf/day. Based on this data, the PTE is approximately 122.63 tpy of VOC [30 Tex. Admin. Code §§ 122.121 and 122.130(b)(1) and Tex. Health & Safety Code §§ 382.054 and 382.085(b)].
- 7. Failed to obtain permit authorization for the Helen Crump Tank Battery. Specifically, the Respondent exceeded the throughput rate for natural gas and the annual emission rate of 21.48 tpy of VOC certified and registered under PBR Registration No. 93540, issued October 20, 2010, by 8.22 tons of VOC; therefore, the Helen Crump Tank Battery cannot satisfy the conditions of the PBR for oil and gas production facilities [30 Tex. ADMIN. CODE § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)].
- 8. Failed to submit an abbreviated application for a federal operating permit when the PTE exceeded 100 tpy of VOC at the Helen Crump Tank Battery. Specifically, in the PBR registration, the natural gas throughput was certified/represented as 122,000 scf/day. Throughput data from September 2010 showed throughput at up to 736,000 scf/day. Based on this data, the PTE is approximately 123.2 tpy of VOC [30 Tex. Admin. Code §§ 122.121 and 122.130(b)(1) and Tex. Health & Safety Code §§ 382.054 and 382.085(b)].

9. Failed to maintain all emission control equipment in good working order at the Thelma Lou-Otis Tank Battery. Specifically, on October 7, 2010, a Kimray diaphragm valve was found to be leaking by a TCEQ investigator [30 Tex. Admin. Code § 106.4(c) and Tex. Health & Safety Code § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

- 1. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Floyd Tank Battery:
- a. On September 24, 2010, installed a rental auto-ignite flare;
- b. On September 25, 2010, repaired the line that was leaking on September 24, 2010 and modified procedures to open up wells in a more controlled fashion to prevent over pressuring and rupturing of poly lines from occurring;
- c. On October 12, 2010, installed a high pressure vapor recovery unit ("VRU");
- d. On November 17, 2010, submitted an application for a standard permit;
- e. On November 23, 2010, installed a lease accounting custody transit ("LACT") metering system to replace tanker truck loading of oil with pipeline oil sales;
- f. On December 17, 2010, installed a permanent auto-ignite flare;
- g. On January 5, 2011, installed sales gas compression to allow separators to operate at a consistently low pressure with the gas being compressed into the sale line; and
- h. On January 7, 2011, obtained Standard Permit Registration No. 94078.
- 2. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Aunt Bee Tank Battery:
- a. On September 14, 2010, installed a rental auto-ignite flare;
- b. On November 5, 2010, installed a high pressure VRU;
- c. On November 23, 2010, installed a LACT metering system;
- d. On November 29, 2010, submitted an application for a standard permit;
- e. On December 14, 2010, installed a permanent auto-ignite flare;

- f. On January 7, 2011, obtained Standard Permit Registration No. 94174; and
- g. On January 11, 2011, installed sales gas compression.
- 3. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Helen Crump Tank Battery:
- a. On October 13, 2010, installed a rental auto-ignite flare;
- b. On November 12, 2010, installed a high pressure VRU;
- c. On November 29, 2010, submitted an application for a standard permit;
- d. On December 2, 2010, installed sales gas compression;
- e. On December 17, 2010, installed a permanent auto-ignite flare;
- f. On January 10, 2011, installed a LACT metering system; and
- g. On January 13, 2011, obtained Standard Permit Registration No. 94179.
- 4. The Executive Director recognizes that on October 8, 2010, the Respondent replaced the leaking valve at the Thelma Lou-Otis Tank Battery.

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days, submit administratively complete permit applications to revise or amend the following standard permits to authorize vapor recovery vessels ("VRVs"), associated VRV sales compression, and auto-igniting flares to control storage tank VOC emissions and VRV sales gas compression emissions when the gas gathering company sales line pressures are excessive:
- i. Standard Permit Registration No. 94078 for the Floyd Tank Battery;
- ii. Standard Permit Registration No. 94174 for the Aunt Bee Tank Battery; and
- iii. Standard Permit Registration No. 94179 for the Helen Crump Tank Battery.
- b. Submit the permit applications required by Ordering Provisions a.i. through a.iii.
- c. Respond completely and adequately, as determined by the Air Permits Division, to all letters requesting information concerning the following permit revisions/amendments within 30 days of the date of such letters, or by any other deadline specified in writing.

- d. Within 60 days of obtaining the permit revisions/amendements, install the VRVs and associated equipment at at the following:
- i. Floyd Tank Battery;
- ii. Aunt Bee Tank Battery; and
- iii. Helen Crump Tank Battery
- e. Within 180 days, submit written certification to demonstrate compliance with Ordering Provisions a. and d. at the following:
- i. Floyd Tank Battery;
- ii. Aunt Bee Tank Battery; and
- iii. Helen Crump Tank Battery

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEO Enforcement Coordinator: Miriam Hall, Enforcement Division,

Enforcement Team 4, MC 169, (512) 239-1044; Debra Barber, Enforcement Division,

MC 219, (512) 239-0412

TCEQ SEP Coordinator: N/A

Respondent: Don DeCarlo, Senior Vice President – Western Division, Devon Energy Production Company, L.P., 20 North Broadway, Oklahoma City, Oklahoma 73102-8260

Chuck Horsman, Manager Operations Engineering, Devon Energy Production Company, L.P., 20 North Broadway, Oklahoma City, Oklahoma 73102-8260

Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW) Policy Revision 2 (September 2002) PCW Revision October 30, 2008 DATES Assigned 18-0ct-2010 PCW 16-Nov-2010 Screening 5-Nov-2010 EPA Due 12-Jul-2010 RESPONDENT/FACILITY INFORMATION Respondent Devon Energy Production Company, L.P. Reg. Ent. Ref. No. RN105780613 - Aunt Bee Tank Battery Facility/Site Region 7: Midland Major/Minor Source Major CASE INFORMATION Enf./Case ID No. 40691 No. of Violations 28 Docket No. 2010-1830-AIR-E Order Type 1660 Media Program(s) Government/Non-Profit No Multi-Media Enf. Coordinator Miriam Hall EC's Team Enforcement Team 4 Admin. Penalty \$ Limit Minimum Maximum \$10,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$20,000 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the Indicated percentage. Compliance History 0.0% Enhancement Subtotals 2, 3, & 7 \$0 The Respondent submitted one notice of intent to conduct an audity however, because a reduction would be below zero; the enhancement defaults to zero 0.0% Enhancement Culpability No Subtotal 4 \$0 The Respondent does not meet the culpability criteria. Good Faith Effort to Comply Total Adjustments Súbtotal 5 \$0 Economic Benefit 0.0% Enhancement* Subtotal 6 \$0 Total EB Amounts Capped at the Total EB \$ Amount \$13,538 Approx. Cost of Compliance SUM OF SUBTOTALS 1.7 \$20,000 OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment \$5,255 Reduces or enhances the Final Subtotal by the Indicated percentage.

Enhancement for the estimated avoided cost for Violation No. 2.

Deferral offered for expedited settlement.

Final Penalty Amount

Final Assessed Penalty

Reduction Adjustment

20.0%

20 for 20% reduction.)

\$25,255

\$25,255

-\$5,051

\$20,204

Notes

Notes

PAYABLE PENALTY

DEFERRAL

STATUTORY LIMIT ADJUSTMENT.

Reduces the Final Assessed Penalty by the Indicted percentage. (Enter number only; e.g.

.. PCW

Policy Revision 2 (September 2002) PCW Revision October 30, 2008

Respondent Devon Energy Production Company, L.P.

Case ID No. 40691

Reg. Ent. Reference No.: RN105780613 - Aunt Bee Tank Battery

Media [Statute] Air Enf. Coordinator Miriam Hall

	Compliance History Worksheet	Northgang vila tillahlagen, ikun yang sahih is velagi	edge-geography on graditanting an application of the
 Compliance Histo Component 	ry Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.
Novs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	ó%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	54.1.4 ± 3.4.1.4.1.4.1.4.1.4.1.4.1.4.1.4.1.4.1.4.	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any. adjudicated final court judgments and default judgments, or non- adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	O	0%
Emissions ::	Chronic excessive emissions events (number of events)	0	0%
Audits:	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		-1%
Augics	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	. Ple	ease Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No .	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
•	Adjustment Per	rcentage (Sub	total 2) 0%
 Repeat Violator (Subtotal 3)		
No	Adjustment Per	rcentage (Sub	total 3) 0%
- Compliance Histo	ry Person Classification (Subtotal 7)		
: Average Pe	rformer Adjustment Per	rcentage (Sub	total 7) 0%
>= Compliance Histo	ry-Summary		
Compliance History Notes	The Respondent submitted one notice of intent to conduct an audit; however reduction would be below zero, the enhancement defaults to zero		

Total Adjustment Percentage (Subtotals 2, 3, & 7)

Screening Date		No. 2010-1830-AIR-E	PEW
The state of the s	Devon Energy Production Company, L.P.		Policy Revision 2 (September 2002)
Case ID No	RN105780613 - Aunt Bee Tank Battery		PCW Revision October 30, 2008
Media [Statute	· ·		**************************************
Enf. Coordinato			
Violation Numbe			
Rule Cite(s	30 Tex. Admin. Code § 116.110(a) and Tex. He and 382:085(i		32.0518(a)
Violation Description	Falled to obtain permit authorization for the Author Respondent exceeded the throughput rail emission rate of 22:45 tons per year ("tpy") of certified and registered under Permit by Rule issued April 8, 2010, by 9:85 tons of VOC; the cannot satisfy the conditions of the PBR for	te for natural gas and the volatile organic compount ("PBR") Registration No. refore, the Aunt Bee Tan	e annual ds ("VOC") 92134, lk Battery
		Bas	se Penalty \$10,000
>> Environmental, Prope	ty and Human Health Matrix		1
Release OR Actua	Harm Major Moderate Minor		
Potentia		Percent 0%	
>>Programmatic Matrix		and the second of the second o	r de
Falsification	Major Moderate Minor		and the second s
manar or control of the control of t		Percent 25%	
A company of the comp		comprehensive to the comprehensive of the control o	4.7 4 21 1.14 2.1
Matrix Notes	The Respondent falled to comply with 100% of		
Berthard 1 für and Mit Mitch de Berthard 1 für an der Steine der S		<u>Adjustment</u>	\$7,500
Table			\$2,500
			Ψ2,300
Violation Events			Section Control Contro
Number of	Violation Events [21	Number of violation	n days
mark only one with an x	dally weekly montrily y quarterly semiannual annual	Violation Ba	se Penalty \$17,500
· inneritation	single event		
Seven mont	aly events are recommended from the date the P 2010) to the screening date (Novemb		ed (April 8,
Good Faith Efforts to Con	0,0% Reduction		\$0
	Before NOV NOV to EDPRP/Settler Extraordinary Ordinary	nent Offer	The state of the s
	N/A x 4 x (mark with x)		<u> </u>
To the state of th	Notes The Respondent does not meet this violat		ri.
		Violatio	on Subtotal \$17,500
Economic Benefit (EB) fo	r this violation	Statutory Lim	It Test
Estima	ted EB Amount \$8,283	Violation Final Pe	nalty Total \$22,098
	This violation Final Asses	ssed Penalty (adjusted	for limits) \$22,098

Case ID No. eg. Ent. Reference No. Media	RN105780613 Air	- Aunt Bee Tank	: Battery			Percent Interest	Years of Depreciation
Violation No.		SERVICES SERVICES	ski sanagaya sayasaya	Nonie ia			I STATE OF THE PARTY OF THE PAR
	Item Cost	Date Required	Final Date	Vre	Interest Saved	5.0 Onetime Costs	1 EB Amount
Item Description							
er per anne un marche estat de la distributa		ууст төхөлш я хэгрэдэхлэх Аш Гээр тоссо	Continuos harada (taliya) opiny	m _e gapy s ghan S	NATON PROPERTY (CONTRACTOR NOTES)	Charles the section of the best of a remain	reservation in the section and
Delayed Costs							
Equipment	\$100,000	8-Apr-2010	30-May-2011	1.14	\$381	\$7.616	\$7,997
Buildings		La esperante de la composición dela composición de la composición dela composición de la composición d		0.00	\$0	\$0	\$0
Other (as needed)		er e arte da 😘		0.00	\$0	\$0	\$0
Engineering/construction		erija (jalen) iz rejo		0.00	\$0	\$0	\$0
Land				0.00	\$0	⇒ n/a : `∵	\$0
Record Keeping System				0,00	\$0	25 = n/a ≥ = di	\$0
Training/Sampling	Land State Health)	1	0.00	\$0	Maria Santa Cara	\$0
training/ paniping		<u> </u>		0,00	40		
Remediation/Disposal	1. 4.1	girt, er tyskine in		0.00	\$0	5460=5 n/a = ===	\$0
Remediation/Disposal Permit Costs Other (as needed)	ignite flare, h	igh pressure scre	ew vapor recovei	0.00 1.14 0.00 oment y unit,	\$0 \$286 \$0 and emission redulesse automatic (id 5 n/a n/a n/a uction projects inclu- uctody transfer ("L	\$0 \$286 \$0 ding an auto- ACT") metering
Remediation/Disposal Permit Costs	The estimat Ignite flare, h system, and	ed cost for emissigh pressure scre I sales gas comp standard permit.	sion control equi w vapor recover ression system t The "Date Requ	0.00 1,14 0.00 oment y unit, o quali	\$0 \$286 \$0 and emission redules lease automatic of fy for a standard is the date the PBF	n/a	\$0 \$286 \$0 ding an auto- ACT") metering nated cost for
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs	The estimat Ignite flare, h system, and obtaining a s	ed cost for emissigh pressure scre i sales gas comp standard permit.	slon control equi ew vapor recover ression system t The "Date Requ "Final Date" is th	0.00 1.14 0.00 pment y unit, o quali ifred is e estin	\$0 \$286 \$0 and emission redi lease automatic of fy for a standard is the date the PBF nated compliance	n/a n/a n/a uction projects inclu- custody transfer ("L permit and the estin Registration was is date.	\$0 \$286 \$0 ding an auto- ACT") metering nated cost for sued, and the
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	The estimat Ignite flare, h system, and obtaining a s	ed cost for emissigh pressure scre i sales gas comp standard permit.	sion control equi w vapor recover ression system t The "Date Requ "Final Date" is the d costs before	0.00 1.14 0.00 pment y unit, o quali ired 1.1 e estin	\$0 \$286 \$0 and emission redictions lease automatic of fy for a standard is the date the PBF nated compliance ong item (except	in/a in/a in/a in/a in/a in/a in/a in/a	\$0 \$286 \$0 ding an auto- ACT") metering nated cost for sued, and the ded costs)
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	The estimat Ignite flare, h system, and obtaining a s	ed cost for emissigh pressure scre i sales gas comp standard permit.	slon control equi ew vapor recover ression system t The "Date Requ "Final Date" is th	0.00 1.14 0.00 pment y unit, o quali ired i i e ëstin enterii	\$0 \$286 \$0 and emission reduces automatic of fy for a standard is the date the PBF nated compliance ing item (except	iction projects included the standard the esting t	\$0 \$286 \$0 ding an auto- ACT") metering nated cost for sued, and the dedicosts)
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The estimat Ignite flare, h system, and obtaining a s	ed cost for emissigh pressure scre I sales gas comp standard permit.	sion control equi w vapor recover ression system t The "Date Requ "Final Date" is th d costs before	0.00 1.14 0.00 oment y unit, o quali ired 16 e estin enterii 0.00	\$0 \$286 \$0 and emission red lease automatic of fy for a standard is the date the PBF nated compliance agitem (except:	in/a	\$0 \$286 \$0 ding an auto- ACT") metering nated cost for sued, and the ded costs) #0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	The estimat Ignite flare, h system, and obtaining a s	ed cost for emise igh pressure scre i sales gas comp standard permit.	sion control equi w vapor recover ression system t The "Date Requ "Final Date" is th d costs before	0.00 1.14 0.00 oment y unit, o quali ired" ie e estin enterii 0.00 0.00	\$0 \$286 \$0 and emission red lease automatic of fy for a standard is the date the PBF nated compliance agitem (except:	n/a n/a n/a n/a n/a uction projects Inclusion ustody transfer ("Lo permit and the estin d Registration was is date. for one-time avoi \$0 \$0 \$0	\$0 \$286 \$0 ding an auto- ACT") metering nated cost for sued, and the ded costs) #0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The estimat Ignite flare, h system, and obtaining a s	ed cost for emise igh pressure scre i sales gas comp standard permit.	sion control equi w vapor recover ression system t The "Date Requ "Final Date" is th d costs before	0.00 1.14 0.00 oment y unit, o quali ired 16 e estin enterii 0.00	\$0 \$286 \$0 and emission red lease automatic of for a standard is the date the PBF nated compliance gitem (except \$0 \$0 \$0	in/a	\$0 \$286 \$0 ding an auto- ACT") metering nated cost for sued, and the ded costs) #0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	The estimat Ignite flare, h system, and obtaining a s	ed cost for emise igh pressure scre i sales gas comp standard permit.	sion control equi w vapor recover ression system t The "Date Requ "Final Date" is th d costs before	0.00 1.14 0.00 pment y unit, o quali ired le e estin 0.00 0.00 0.00	\$0 \$286 \$0 and emission rediction as the date the PBF nated compliance of \$0 \$0 \$0 \$0 \$0 \$0 \$0	in/a n/a n/a n/a n/a n/a n/a n/a	\$0 \$286 \$0 ding an auto- ACT") metering nated cost for sued, and the ded costs) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The estimat Ignite flare, h system, and obtaining a s	ed cost for emise igh pressure scre i sales gas comp standard permit.	sion control equi w vapor recover ression system t The "Date Requ "Final Date" is th d costs before	0.00 1.14 0.00 pment y unit, o quali ired i e e estin 0.00 0.00 0.00 0.00	\$0 \$286 \$0 and emission red lease automatic of for a standard is the date the PBF nated compliance gitem (except \$0 \$0 \$0 \$0 \$0	iction projects inclusited transfer ("Lypermit and the estin Registration was is date. for one-time avoi \$0 \$0 \$0 \$0 \$0	\$0 \$286 \$0 ding an auto- ACT') metering nated cost for sued, and the ded costs) \$0 \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The estimat Ignite flare, h system, and obtaining a s	ed cost for emise igh pressure scre i sales gas comp standard permit.	sion control equi w vapor recover ression system t The "Date Requ "Final Date" is th d costs before	0.00 1.14 0.00 0.01 0.00 0.00 0.00 0.00	\$0 \$286 \$0 and emission reduces automatic of the date the PBF nated compliance gitem (except) \$0 \$0 \$0 \$0 \$0 \$0	iction projects inclusted transfer ("Loermit and the esting date. for one-time avoided to the esting solution of the esting date. for one-time avoided solution of the esting solution of the esting solution of the esting date.	\$0 \$286 \$0 ding an auto- ACT") metering nated cost for sued, and the \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

.

·

Screening Date	5 56 1.0 Analone 5 2.2.2.10 2.7.2	#PCW
descended to the second of the		y Revision 2 (September 2002)
Case ID No.	·	PCW Revision October 30, 2008
	RN105780613 - Aunt Bee Tank Battery	,
Media [Statute] Enf. Coordinator		Prompus
Violation Number		ymwyah
	30 Tex. Admin. Code §§ 122.121 and 122.130(b)(1) and Tex. Health & Safety	Code
Rule cite(s)	58.382.054 and 382.085(b)	2000
	Falled to submit an appreviated application for a federal operating permit when	n thé i
•	potential to emit ("PTE") exceeded 100 tpy of VOC. Specifically, in the PB	R
Violation Description	registration, the natural gas throughput was certified/represented as 119,0	00.
Troid (ion 2000) provi	standard cubic feet per day ("scf/day")). Throughput data from September 2	010
	showed throughput at 650,000 scf/day. Based on this data, the PTE is approximately 122,63 tpy of VOC.	
	approximately 122,05 spy of your s	
	Base Pe	enalty \$10,000
	,	410,800
>> Environmental, Proper	y and Human Health Matrix	Anna Poore
	Harm	niii q
Release	Major Moderate Minor	Hilyfran
		pine pane
Potential	Percent 0%	rogues year
>>Programmatic Matrix		e e e e e e e e e e e e e e e e e e e
Falsification	Major Moderate Minor	ey in early
Linguis Control (1975)	Percent 25%	mer pelija
		Annana
A Land S		AN OFFICE AND ADDRESS OF THE PARTY OF THE PA
Matrix Matrix	The Respondent falled to comply with 100% of the rule requirement.	
Notes	andrasian and the control of the co And and the control of the con	with the state of
	Adjustment	7,500
		43.500
		\$2,500
Violation Events		
Number of '	/lolation Events 1 65 65 Number of violation days	S
000mm		lyginewa
Tarak ta	daily	illy in particular
## V # 11000	weekly a land a	And the state of t
mark only one	monthly	
with an x	quarterly Violation Base Pe	enalty \$2,500
ACCURATE AND ACCUR	esemiannual and the second and the s	Programme and the programme an
Se mentral separate s	annual single event x	· · · · · · · · · · · · · · · · · · ·
and the state of t	Shirtle events 1 - X	THE LIVE
- 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
	One single event is recommended.	
Good Faith Efforts to Com		\$0
viry en	Before NOV NOV to EDPRP/Settlement Offer	HILL
Library in the state of the sta	Extraordinary	A CONTRACTOR OF THE CONTRACTOR
rian-re-	Ordinary Control of the Control of t	to the many the state of the st
Pagewood	N/A <u> </u>	
	The Respondent does not meet the good faith criteria for	e de la caractería
The state of the s	Notes this violation.	of transcensor.
	Violation Su	
Economic Benefit (EB) for		
		2
Estimat	ed EB Amount \$5,255 Violation Final Penalty	/ Total \$3,157
L	This violation Final Assessed Penalty (adjusted for I	limits) \$3,157
	This violation filled Assessed Pellally (adjusted for i	nunc ə /[

evon Energy (0691 N105780613 r	onomic Production Compo Aunt Bee Tank Date Required	any, L.P.			Percent Interest 5.0 Onetime Costs	Years of Depreciation 15 EB Amount
N105780613 · r I tem Cost			Yrs Ir	iterest Saved	5.0	Depreciation 15
N105780613 · r I tem Cost			Yrs I	terest Saved	5.0	Depreciation 15
r Item Cost			Yrs II	iterest Saved	5.0	Depreciation 15
eratianeaniaeria (artika	Date Required	Final Date	Yrs Ir	iterest Saved	5.0	15
eratianeaniaeria (artika	Date Required	Final Date	Yrs Ir	terest Saved	**************************************	15
eratianeaniaeria (artika	Date Required	Final Date	Yrs Ir	iterest Saved	**************************************	EB Amount
eratianeaniaeria (artika						H Mark Allend in
o continues or \$::::::::::::::::::::::::::::::::::::::	20000000000000000000000000000000000000		
2 2 2 2 2 2 2 3 3 4 4 4 4 4 4 4 4 4 4 4						And September of the Control of the September of the Sept
	yet and him to green from the state of the state of the state of		MARKET COMPANI No de Zalek velik			
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
	audio di Latina di Naci	gri a arri a da a	0.00	\$0	\$0	\$0
	eastern named (NA	** · · · · · · · · · · · · · · · · · ·	0.00	\$0.	\$0	\$0
	g g Toggersesul	9-3-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-			an/ar-ses	\$0
3 2 20					za e n/a // de	\$0
	15.27 1.75 1.75 1.75 1.75 1.75 1.75 1.75 1.7				o e sin/a de di v	\$0
- 1 - A- 1 - 1 - 1	April Grand purpose.	And the legal of the			± a ≝n/a e ⊎ to ≥	\$0
	HER CHECK HAS LO	Paragraph and the second			n/als	\$0
Victoria	en and an are entirely				and a second	\$0
		Inclu	ded in Vio	lation 1.		
ANNUALI	ZE [1] avoided	costs before	entering	item (except	for one-time avoid	led costs)
second of the figure	<u>ئى دى بەرسىمى</u>	una i gradett i kant	0.00	\$0	\$0	\$0
enganen færrallynd	times transferred	FALENNAN FRA	0.00	\$0	265 a \$0 a \$65	\$0
รู้มา ประเทศ เพลา	ا واسور دادلهای ای در این		0.00	\$0	50	\$0
rwegettjar bulkette g	Localities of the egglent of		0.00	\$0		\$0
juga Verige Kudike der	and the second		0.00	- \$0 : :	-1.0 × 50 × 6 × 6	\$0
			i	Lamin		
\$5:000 l	l 1-Sep-2010	8-Oct-2010	1.02	\$255	\$5,000	\$5,255
	ANNUALI	ANNUALIZE [1] avoided	Inclu ANNUALIZE [1] avoided costs before	0.00	0.00 \$0	0.00 \$0 \$0 \$0 0.00 \$0 \$0 \$0 0.00 \$0 \$0 \$0 0.00 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$

Compliance History

		9	omphance man	Ji y	
Customer	Respondent/Owner-Operator:	CN600132344	Devon Energy Production C L.P.	ompany, Classification: A	AVERAGE Rating: 2.66
Regulated	Entity:	RN105780613	AUNT BEE TANK BATTER	Y Classification: A	AVERAGE Site Rating: 3.01
ID Numbe	r(s):	AIR NEW SOUR		REGISTRATION REGISTRATION	92134 94174
Location:		On private road, intersection of St	approximately two miles east o ate Highway 385 and State Loo te Loop 338, south of Odessa,	f the pp 338, and 0.3	54174
TCEQ Re	gion:	REGION 07 - MI	DLAND		
Date Com	pliance History Prepared:	December 01, 20	010		
Agency D	ecision Requiring Compliance History:	Enforcement			
Complian	ce Period:	December 01, 20	005 to December 01, 2010		
TCEQ Sta	off Member to Contact for Additional Info	Pt	ione: (512) 239 - 1044		
			Compliance History Comp	onents	
2. Has the	e site been in existence and/or operation are been a (known) change in ownership who is the current owner/operator?	-	e during the compliance period	No	*
4. If Yes,	who was/were the prior owner(s)/operat	or(s)?	Ni	A	
5. When	did the change(s) in owner or operator c	ccur?	N	/A	•
6. Ratin	g Date: 9/1/2010 Repeat Violator:	NO			
Compos	nents (Multimedia) for the Site :	•			
A.	Final Enforcement Orders, court judgm	ents, and consent	decrees of the State of Texas a	and the federal government.	
B.	Any criminal convictions of the state of N/A	Texas and the fed	eral government.		
C.	Chronic excessive emissions events. N/A				
D.	The approval dates of investigations. (CCEDS Inv. Track.	No.)		
Е.	Written notices of violations (NOV). (C	CEDS Inv. Track. N	lo.)		
F.	Environmental audits.				•
	Notice of Intent Date: 07/09/2009 No DOV Associated	9 (766915)			
G.	Type of environmental management s	ystems (EMSs).			
H,	Voluntary on-site compliance assessm	nent dates.			
	N/A				
ì.	Participation in a voluntary pollution re	duction program.			
J.	N/A Early compliance.				

Sites Outside of Texas N/A

Penalty Calculation Worksheet (PCW) Policy Revision 2 (September 2002) PCW Revision October 30, 2008 DATES Assigned 1-Nov-2010 PCW 16-Nov-2010 Screening 5-Nov-2010 EPA Due 25-Jul-2010 RESPONDENT/FACILITY INFORMATION Respondent Devon Energy Production Company, L.P. Reg. Ent. Ref. No. RN105780746 - Helen Crump Tank Battery Major/Minor Source Major Facility/Site Region 7-Midland **CASE INFORMATION** Enf./Case ID No. 40691 No. of Violations 2 Docket No. 2010-1830-AIR-Order Type 1660 Government/Non-Profit No Media Program(s) Air Multi-Media Enf. Coordinator Miriam Hall EC's Team Enforcement Team 4 Admin. Penalty \$ Limit Minimum \$10,000 Maximum Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$5,000 ADJUSTMENTS (#/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Compliance History 0.0% Enhancement Subtotals 2, 3, & 7 \$0 The Respondent submitted one notice of intent to conduct an audit:

however, because a reduction would be below zero, the enhancement defaults to zero.

The Respondent does not meet the culpability criteria.

Enhancement for the estimated avoided cost for Violation No. 2.

Deferral offered for expedited settlement.

Good Faith Effort to Comply Total Adjustments

\$9,677 \$110.000

Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

0.0% Enhancement

0.0% Enhancement*

Capped at the Total EB \$ Amount

Subtotal 4

Final Subtotal

Adjustment

Final Penalty Amount

Final Assessed Penalty

20:0% Reduction Adjustment

\$0

\$0

\$0

\$5,000

\$5,268

\$10,268

\$10,268

-\$2,053

\$8,215

Culpability No

Notes

Economic Benefit

Notes

Notes

DEFERRAL

PAYABLE PENALTY

Total EB Amounts

Approx, Cost of Compliance

OTHER FACTORS AS JUSTICE MAY REQUIRE

Reduces or enhances the Final Subtotal by the Indicated percentage.

SUM OF SUBTOTALS 1-7

STATUTORY LIMIT ADJUSTMENT

Screening Date 5-Nov-2010

Docket No. 2010-1830-AIR-E

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

Respondent Devon Energy Production Company, L.P.

Case ID No. 40691

Reg. Ent. Reference No. RN105780746 - Helen Crump Tank Battery

Media [Statute] Air

Enf. Coordinator Miriam Hall

Compliance History Worksheet

Component	ry Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0.	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (<i>number of</i> orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	O	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non- adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	\$y.s. ii ii. 0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		-1%
ga darang	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	o O	0%
	4	ease Enter Yes or No	
	Environmental management systems in place for one year or more	No,	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
eat Violator (Adjustment Per	rcentage (Sub	total 2)
	Adjustment Per	rcentage (Sub	total 3
npliance Histo	ory Person Classification (Subtotal 7)		
Average Po		rcentage (Sub	total 7
npliance Histo	ory Summary		111 121 -23
Compliance	The Respondent submitted one notice of intent to conduct an audit, howeve		

Total Adjustment Percentage (Subtotals 2, 3, & 7)

Screening Date		o. 2010-1830-AIR-E	□PCW
Respondent Case ID No.	Devon Energy Production Company, L.P.		Policy Revision 2 (September 2002)
The state of the s	RN105780746 - Helen Crump Tank Battery		PCW Revision October 30, 2008
Media [Statute]			
Enf. Coordinator	Miriam Hali		e S
Violation Number			1
Rule Cite(s)	30 Tex, Admin. Code § 116.110(a) and Tex, Heal and 382.085(b)		.0518(a)
	Failed to obtain permit authorization for the		
	Specifically, the Respondent exceeded the thro annual emission rate of 21.48 tons per year ("tp		
Violation Description	("VOC") certified and registered under Permit b	y Rule ("PBR") Registrat	on No.
	93540, issued October 20, 2010, by 8.22 tons of Tank Battery cannot satisfy the conditions of th		
		THE RESERVE OF THE PARTY OF THE	Penalty \$10,000
			Feliaity \$10,000
>> Environmental, Prope	ty and Human Bealth Matrix		
Release	Major Moderate Minor		a privile mane unit
OR Actual Potential		Percent 0%	el partenes (des
And A control of the		1 0 0 0 0 70	down to Lawy open
>>Programmatic Matrix Falsification	Major Moderate Minor		* CONTRACTOR OF THE CONTRACTOR
THE PART OF THE PA	week x in a linear or line	Percent 25%	Andrew College
A commonwealth of the comm	The second secon	und and the second and second and the	
Matrix	The Respondent failed to comply with 100% of the	e rule requirement.	
Notes			
		Adjustment	\$7,500
		·	al-ready.
			\$2,500
Violation Events			and purposes of project ACP complete control of the purpose of the
Number of	/lolation Events 1 16	Number of violation of	lavs
		<u></u>	
a New York	daily weekly		
	monthly (
mark only one with an x	quarterly	Violation Base	Penalty \$2,500
	semiannual. Sannual		4 mar
No. of the state o	single event		
[##/78/27V]s	Company of the control of the contro	arije u Lemija izemla ili alitera tare e	50.15.1.27.1
One monthly	event is recommended from the date the PBR Reg 2010) to the screening date (November		ober 20,
			8. 4.4.
Good Faith Efforts to Com			\$0
45 C C C C C C C C C C C C C C C C C C C	Before NOV NOV to EDPRP/Settlement	nt Offer	
	Ordinary	(ac.)	
1	N/A (mark with x)		
	The Respondent does not meet th	ne good faith criteria for	
t of districtions and the second seco	Notes this violation	n.,	The second secon
To promote the control of the contro		Violation	Subtotal \$2,500
Economic Benefit (EB) for	this violation	Statutory Limit	Test
	ed EB Amount \$4,410	Violation Final Pena	
	· · · · · · · · · · · · · · · · · · ·		
	This violation Final Assesse	eu renaity (adjusted fo	or limits) \$5,134

		- Helen Crump T	ank battery		;		of Japan Property	
Media Violation No						Percent Inter	oct.	ears of reclation
	ar lan ar 1930 grann ann a Ferlandar Gallan († 1932)						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Co	ts EB	Amount
Item Description	No commas or \$				rentalisen hanna turki Laben alan kutakili			
Delayed Costs						2 (10) (10) (10) (10) (10) (10) (10) (10) (10) (10) (10) (10) (10) (10) (10) (10) (10) (10)		
Equipment	\$100,000	20-Oct-2010	30-May-2011	0.61	\$203	\$4,055		4,258
Buildings	A PERMIT	Aleksa, ye en	ABITAN POLICE	0.00	\$0.	\$0		\$0
Other (as needed)	STRIPS WAR	i Bası İstəriyê de tayı	Telegraph St.	0.00	<u>. </u>	\$0	1.00	\$0
Engineering/construction	Parkaya Arik bir ik	44 7867 25 P. 1.		0.00	\$0.			\$0
Land	aの主義では「おびをも		Company of the Strategic Co.	0.00	\$0 86 B	n/a		\$0
Record Keeping System	0.00	[[[] [] [] [] [] [] [] [] []	π	0.00	\$0	i i e n/a		\$0
Training/Sampling	779 254 ₀ - N			0.00	<u>\$0</u>	a. an/a		\$0
Remediation/Disposal	77.75	20-Oct-2010	70 11 2011	0.00	\$0×	n/a		\$0
	ll \$5 በባበ 🗀							\$152 l
Permit Costs Other (as needed) Notes for DELAYED costs	The estimal	ted cost for emiss	w vapor recove	y unit,	\$152 \$0 and emission redu lease automatic c y for a standard o	ustody transfer	("LACT")	\$0 an auto- metering
Other (as needed)	The estima ignite flare, h system, and	ted cost for emiss ligh pressure scre d.sales gas compr standard permit	sion control equi w vapor recove ression system t The "Date Bequ	0.00 pment y unit, o quali ilred" is	\$0 and emission redu	ustody transfer ermit and the o Registration w	("LACT") stimated	\$0 an auto- metering cost for
Other (as needed)	The estima Ignite flare, h system, an obtaining a	ted cost for emiss lgh pressure scre d sales gas compr standard permit	sion control equi w vapor recover ression system t The "Date Requ Final Date" is tr	0.00 pment y unit, o qualif ulred" is le estin	\$0 and emission redu lease automatic o y for a standard p the date the PBR	ustody transfer ermit and the e Registration w late	("LACT") stimated as issued	\$0 an auto- metering cost for and the
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal	The estima Ignite flare, h system, an obtaining a	ted cost for emissigh pressure scre d sales gas compr standard permit. IZE [1] avoided	sion control equi y vapor recove ession system t The "Date Requ 'Final Date" is tr I costs before	0.00 pment y unit, o qualif lired" is le estin enterir 0.00	\$0 and emission redu lease automatic o y for a standard p the date the PBR lated compliance ig item (except	ustody transfer ermit and the e Registration w late or one-time a	("LACT") stimated as issued wolded	\$0 an auto- metering cost for and the osts)
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel	The estima Ignite flare, h system, an obtaining a	ted cost for emissigh pressure scre d sales gas compr standard permit.	sion control equi w vapor recove ression system t The "Date Requ 'Final Date" is th costs before	0.00 pment y unit, o qualif ilred" is e estin enterii 0.00 0.00	\$0 and emission redu lease automatic c y for a standard p the date the PBR lated compliance g item (except	ustody transfer ermit and the e Registration w late for one-time a \$0	("LACT") stimated as issued wolded	\$0 an auto- metering cost for and the costs) \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel nspection/Reporting/Sampling	The estimal Ignite flare, h system, and obtaining a ANNUAL	ted cost for emissigh pressure scre d sales gas compr standard permit. IZE [1] avoided	sion control equi y vapor recove ession system t The "Date Requ 'Final Date" is tr I costs before	0.00 pment y unit, o qualli ilred" is ne estim enterii 0.00 0.00	\$0 and emission redu lease automatic o y for a standard p the date the PBR lated compliance or item (except	ustody transfer ermit and the c Registration w late. for one-time a \$0 \$0	("LACT") stimated as issued wolded	\$0 an auto- metering cost for and the costs) \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel aspection/Reporting/Sampling Supplies/equipment	The estimal Ignite flare, h system, and obtaining a ANNUAL	ted cost for emiss ligh pressure scre d sales gas compr standard permit. IZE [1] avoided	sion control equi w vapor recove ression system the "Date Requi 'Final Date" is the costs before	0.00 pment v unit; o quall lired" is e estim enterir 0.00 0.00 0.00	\$0 and emission redu lease automatic c y for a standard p the date the PBR sated compilance o g item (except \$0 \$0 \$0 \$0	ustody transfer ermit and the of Registration whate for one-time of \$0 \$0 \$0 \$0	("LACT") stimated as issued wolded	\$0 an auto- metering cost for and the sosts) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel aspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The estimal Ignite flare, h system, and obtaining a ANNUAL	ted cost for emissigh pressure scre d sales gas compr standard permit.	sion control equi w vapor recove ression system t The "Date Requ 'Final Date" is th costs before	pment y unit, o qualif lired" is e estim enter ir 0:00 0:00 0:00 0:00	\$0 and emission redu lease automatic c y for a standard p the date the PBR lated compliance g item (except	ustody transfer emit and the e Registration w late	("LACT") stimated as issued wolded	\$0 an auto- metering cost for and the sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The estimal Ignite flare, h system, and obtaining a ANNUAL	ted cost for emiss ligh pressure scre d sales gas compr standard permit. IZE [1] avoided	sion control equi w vapor recove ression system the "Date Requi 'Final Date" is the costs before	0.00 pment v unit; o quall lired" is e estim enterir 0.00 0.00 0.00	\$0 and emission redu lease automatic o y for a standard p the date the PBR lated compliance gitem (except \$0 \$0 \$0 \$0 \$0 \$0	ustody transfer ermit and the of Registration whate for one-time of \$0 \$0 \$0 \$0	("LACT") stimated as issued wolded	\$0 an auto- metering cost for and the costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The estimal Ignite flare, h system, and obtaining a ANNUAL	ted cost for emissigh pressure screed sales gas compressed and and permit.	sion control equi w yapor recover ession system the "Date Requi Final Date" is the costs before	pment y unit, o qualif lired" is e estim enterir 0.00 0.00 0.00 0.00	\$0 and emission redu lease automatic o y for a standard p the date the PBR lated compliance gitem (except \$0 \$0 \$0 \$0 \$0 \$0	ustody transfer ef mit and the e Registration w late. for one-time a \$0 \$0 \$0 \$0 \$0 \$0 \$0	("LACT") stimated as issued wolded	\$0 an auto- metering cost for and the sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The estimal Ignite flare, h system, and obtaining a ANNUAL	ted cost for emissigh pressure screed sales gas compressed and and permit.	sion control equi w yapor recover ession system the "Date Requi Final Date" is the costs before	pment y unit, o qualif lired" is e estim enterir 0.00 0.00 0.00 0.00	\$0 and emission redu lease automatic o y for a standard p the date the PBR lated compliance gitem (except \$0 \$0 \$0 \$0 \$0 \$0	ustody transfer ef mit and the e Registration w late. for one-time a \$0 \$0 \$0 \$0 \$0 \$0 \$0	("LACT") stimated as issued wolded	\$0 an auto- metering cost for and the costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The estimal Ignite flare, h system, and obtaining a ANNUAL	ted cost for emissigh pressure screed sales gas compressed and and permit.	sion control equi w yapor recover ession system the "Date Requi Final Date" is the costs before	pment y unit, o qualif lired" is e estim enterir 0.00 0.00 0.00 0.00	\$0 and emission redu lease automatic o y for a standard p the date the PBR lated compliance gitem (except \$0 \$0 \$0 \$0 \$0 \$0	ustody transfer ef mit and the e Registration w late. for one-time a \$0 \$0 \$0 \$0 \$0 \$0 \$0	("LACT") stimated as issued wolded	\$0 an auto- metering cost for and the costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Respirate No. 16951 Reg. Ent. Reference No. Relitions of the Military and Section 16951 Reg. Ent. Reference No. Relitions of the Helen Chump Tank Battery Notice (Statute) Reg. Ent. Reference No. Relitions of the Helen Chump Tank Battery Notice (Statute) Reg. Ent. Reference No. Relitions of the Helen Chump Tank Battery Notice (Statute) Reg. Ent. Reference No. Relitions of the Helen Chump Tank Battery Notice (Statute) Reg. Ent. Reference No. Relitions of the Helen Chump Tank Battery Notice (Statute) Reg. Ent. Reference No. Relitions of the Helen Chump Tank Battery Notice (Statute) Reg. Ent. Reference No. Reliable Notice (Statute) Reg. Ent. Reference No. Reliable Notice (Statute) Reg. Reliable Notice (Statute) Reference Notice (Statute) Refere	Screening Date		PCW
Reg. Ent. Reference No. RN105780746 - Helen Crump Tank Bettery Media (Statytes) Air Enf. Coordinator Minam Hall Violation Number Rule Cite(s) 30 Tex. Admis, Code \$9,122.121 and 122.130(1)(1) and fex. Health & Safety Code			
Medical Statutes Air	for the control of th		PCW Revision October 30, 2008
First. Coordinates. Minam Hall Violation Number Rule Cite(s) 30 1ex. Adarba, Coor § 122.812 and 122.130(b)(1) and 1ex. Health & Safety Code § 8 392.054 and 382.005(b) Palled to submit an abbreviated application for a federal operating permit when the potential to min (FET) exceeded 100 40 yo fVCC. Specifically, bit 1ex Pist respiratory (Specifically in the Pist respiratory). Figure 122.130(f) Standard scibility for prior of (Yellogian). Throughput data from Specimers 2010 showed throughput as a pix 256.008 stiffedy: Description that for mis Specimers 2010 showed throughput as pix 256.008 stiffedy: Description that from Specimers 2010 showed throughput as pix 256.008 stiffedy: Description that from Specimers 2010 showed throughput as pix 256.008 stiffedy: Description that from Specimers 2010 showed throughput as pix 256.008 stiffedy: Description that from Specimers 2010 showed throughput as pix 256.008 stiffedy: Description that from Specimers 2010 showed throughput as pix 256.008 stiffedy: Description that from Specimers 2010 showed throughput as pix 256.008 stiffedy: Description that from Specimers 2010 showed throughput as pix 256.008 stiffedy: Description that from Specimers 2010 showed throughput as pix 256.008 stiffedy: Description that from Specimers 2010 showed throughput as pix 256.008 stiffedy: Description that from Specimers 2010 showed throughput as pix 256.008 stiffedy: Description that from Specimers 2010 showed throughput as pix 256.008 stiffedy: Description that 256.008 stiffedy: D			
Rule Cite(s) 30 - Sex. Adminus Code 95 122,213 and 122,130(b)(s) - Sind Sex. Health & Safety Code 95 49 and 3822(b)(s) - Sind Sex. Health & Safety Code 95 49 and 382(b)(s) - Safety Code 95 49 and 382(b)(1
Falled to submit an abbreviates splication for a facebal operating permit when the potential to emit ("FIE") expected into the protection of emit ("FIE") emit ("FIE") expected into the protection of emit ("FIE") e	! 14		
Falicit to sation an abreviated application for a federal operating permit when the potential to entit (FFF) exceeded 300 typ of VOC. Speedings (I), in the FRR in potential to entit (FFF) exceeded 300 typ of VOC. Speedings (I), in the FRR in potential to entit (FFF) exceeded 300 typ of VOC. Speedings (I), in the FRR in potential to the fed part of Voc. Speedings (I) and an abreviation for the part of Voc. Speedings (I) and a speedings (I) and a speeding (I) and a	Rule Cite(s)		Safety Code
Violation Description Property Propert			
Violation Description replatiation, the natural gas throughput was certified/represented as 12,2000 standard colds free they day (50 day). Throughput data from spetember 2010 showed throughput as up to 235,000 stiplday. Based on this data, the PET is			
Sala control throughput at ag to 256,000 strifts Based on this data, the PELB Sala phonocontent Sa	Violation Description	registration, the natural gas throughput was certified/represented a	s 122,000 ·
Section Sect	Tiolation 2000 ption		
>> Environmentally Property and Human Health Matrix Narm			(IC.1F AU. 19
>> Environmental, Property and Human Health Matrix Narm	L.		
OR Release Actual Potential Percent Perc		B	ase Penalty \$10,000
OR Release Actual Potential Percent Perc	>> Environmental, Proper	y and Human Health Matrix	
OR Actual Potential Percent 0% > Programmatic Matrix Palafication Major Moderate Minor Percent 25% Matrix Notes The Respondent falled to comply with 100% of the rule requirement. Adjustment \$7,500 ***The Respondent falled to comply with 100% of the rule requirement. ***Adjustment \$7,500 ***The Respondent falled to comply with 100% of the rule requirement. ***Adjustment \$7,500 ***The Respondent falled to comply with 100% of the rule requirement. ***Adjustment \$7,500 ***The Respondent falled to comply with 100% of the rule requirement. ***The Respondent falled to comply with 100% of the rule requirement. ***Adjustment \$7,500 ***The Respondent falled to comply with 100% of the rule requirement. ***The Respondent falled to comply with 100% of the rule requirement. ***The Respondent falled to comply with 100% of the rule requirement. ***The Respondent falled to comply with 100% of the rule requirement. ***The Respondent falled to comply with 100% of the rule requirement. ***The Respondent falled to comply with 100% of the rule requirement. ***The Respondent falled to comply with 100% of the rule requirement. ***The Respondent falled to comply with 100% of the rule requirement. **The Respondent falled to comply with 100% of the rule requirement. ***The Respondent falled to comply with 100% of the rule requirement. **The Respondent falled to comply with 100% of the rule requirement. **The Respondent falled to comply with 100% of the rule requirement. **The Respondent falled to comply with 100% of the rule requirement. **The Respondent falled to comply with 100% of the rule requirement. **The Respondent falled to comply with 100% of the rule requirement. **The Respondent falled to comply with 100% of the rule requirement. **The Respondent falled to comply with 100% of the rule requirement. **The Respondent falled to comply with 100% of the rule requirement. **The Respondent falled to comply with 100% of the rule requirement. **The Respondent falled to comply with 100% of the rule require	Description of the control of the co	Harm	ar dinibh
Potential Percent 0% > Programmatic Matrix			
Falsification Major Moderate Minor Percent 25%	profile white many profile for the first and		%
Falsification Major Moderate Minor Percent 25%	Programme Commence		nonet .
Matrix Notes The Respondent falles to comply with 100% of the rule requirement. Adjustment \$7,500 \$2,500 Violation Events Number of Violation Events 1 65. Number of violation days daily weekly matrix and a supplied of the rule requirement. Violation Events 5 1 65. Number of violation days Violation Base Penalty \$2,500 Adjustment 55. Number of violation days Violation Base Penalty \$2,500 Security Semianula in and single event is recommended. One single event is recommended. Good Faith Efforts to Comply 6.00% Reduction 5 8 event is recommended. The Respondent does not meet the good faith criteria for this violation. Violation Subtotal 52,500 Economic Benefit (EB) for this violation 5 statutory Limit Test Estimated EB Amount 55,268 Violation Final Penalty Total 45,134		Major Moderate Minor	
Matrix Notes The Respondent fallecto comply with 100% of the rule requirement. Adjustment \$7,500 \$2,500 Violation Events Number of Violation Events 1 65 Number of violation days daily weekly monthly with an x violation Base Penalty \$2,500 Semiannual single event is recommended. Good Faith Efforts to Comply One Single event is recommended. Good Faith Efforts to Comply One Single event is recommended. The Respondent does not freet the good faith criteria for this violation. Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134	raisii(cation		%
Notes Adjustment \$7,500 \$2,500			
Notes Adjustment \$7,500 \$2,500	Matrix		
Violation Events Number of Violation Events	production in the second secon	The Respondent falled to comply with 100% of the rule requirement:	
Violation Events Number of Violation Events	The state of the s		
Number of Violation Events Number of Violation Events Adally Weekly, monthly quarterly Semiandual annual single-event is recommended. One single-event is recommended. Fixtraordinary Ordinary Ordinary N/A Notes The Respondent does not meet the good faith criteria forthis violation. Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,266 Violation Final Penalty Total \$5,134		Adjustment	\$7,500
Number of Violation Events Number of Violation Events Adally Weekly, monthly quarterly Semiandual annual single-event is recommended. One single-event is recommended. Fixtraordinary Ordinary Ordinary N/A Notes The Respondent does not meet the good faith criteria forthis violation. Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,266 Violation Final Penalty Total \$5,134	No.		\$2,500
Number of Violation Events 1 65 Number of violation days daily weekly monthly qualiterly semiannual annual; single event is recommended. One single event is recommended. One single event is recommended. One single event is recommended. Fixtraordinary Ordinary N/A X (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Estimated EB Amount \$5,266 Violation Final Penalty Total \$5,134			μ ψ2,330
daily weekly monthly guarterly senianual single event x	Violation Events		
daily weekly monthly guarterly senianual single event x	Number of V	Iolation Events Sumber of violation	on days
Weekly monthly monthly semiannual single event x	. Ramber of v	Marioti Ci Violeti	on days
Monthly Guarterly Semiannual Single event Statutory Emit Personnended Statutory Emit Person Statutory Emit Perso	7.74 debi-14	COC WICE AND COC CONTRACTOR OF THE COCK CONTRACTOR OF THE COCK COCK COCK COCK COCK COCK COCK COC	V suppa v Vojena v Vo
Good Faith Efforts to Comply 0.0% Reduction \$0.0% Reduction	And the state of t	A CONTRACTOR CONTRACTO	ni para para para para para para para par
Semiannual single event is recommended. One single event is recommended. Sefore NOV NOV to EDPRY/Settlement Offer Extraordinary Ordinary N/A x (mark with x) The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$2,500 Economic Benefit (EB) for this violation \$5,268 Violation Final Penalty Total \$5,134			sase Penalty \$2,500
Good Faith Efforts to Comply 0.0% Reduction \$0 Before NOV NOV to EDPRE/Settlement Offer Extraordinary Ordinary N/A x (mark with x) The Respondent does not meet the good faith criteria for this yiolation Subtotal \$2,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134	. with an x		427000
Good Faith Efforts to Comply 0:0% Reduction \$0 Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation Subtotal \$2,500 Economic Benefit (EB) for this violation \$5,268 Violation Final Penalty Total \$5,134		ADDITION OF THE PROPERTY OF TH	REALINGE
Good Faith Efforts to Comply Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134		single event x x	10 readways
Good Faith Efforts to Comply Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) The Respondent does not meet the good faith criteria for this violation Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134	<u> </u>		
Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A X (mark with x) Notes The Respondent does not meet the good faith criteria for this violation: Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134		One single event is recommended.	
Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A X (mark with x) Notes The Respondent does not meet the good faith criteria for this violation: Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134			
Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A X (mark with x) Notes The Respondent does not meet the good faith criteria for this violation: Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134	Good Faith Efforts to Comi	0.0% Reduction	\$0
Ordinary N/A N/A The Respondent does not meet the good faith criteria for this violation: Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134		Before NOV NOV to EDPRP/Settlement Offer	The state of the s
N/A (mark with x) Notes The Respondent does not meet the good faith criteria for this yiolation. Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134	Kulingali		odu in opera
Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$2,500 Economic Benefit (EB) for this violation \$5,268 Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134	and the same of th		Congression
Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134			
Violation Subtotal \$2,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134			or.
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134		Enis Moiation	
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134		Violat	ion Subtotal \$2.500
Estimated EB Amount \$5,268 Violation Final Penalty Total \$5,134			Y
	Economic Benefit (EB) for	this violation Statutory Ei	nit Test
	Estimate	d EB Amount \$5,268 Violation Final F	enalty Total \$5.134
This violation Final Assessed Penalty (adjusted for limits) \$5,134			
		inis violation Final Assessed Penalty (adjuste	sa ror (imits) \$5,134

.

Item Description	Control Control of Control Control	A SA STOLLAND CO. A. A. A. A. A. A. A. A. A.				Percent Interest	Years of Depreciation
Item Description	-talegraph arythicky the rave.	40 10 10 10 10 10 10 10 10 10 10 10 10 10			TE CONTROL OF THE PERSON OF TH	5.0	15
Item Description	AND THE PARTY OF T	Date Required	Final Date	Yrs In	terest Saved	Onetime Costs	EB Amount
	1 No commas or \$			PARTER			10 m80 x 1440, 144 m 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Delayed Costs		SCHARRAMANIO REMATERATI RECENTATION OF THE PROPERTY OF THE PRO					
Equipment	TO A TO A STATE OF THE ASSESSMENT OF THE ASSESSM		La Taraba de la Caracteria de la Caracte	l o oo l	\$0	\$0	\$0
Buildings			Zin, Staunde,	0.00	\$0 8	\$0	\$0
Other (as needed)	V-10-1		المحادد المحاور	0.00	\$0	\$0	\$0 \$0
Engineering/construction	1249 Y. THE CO.			0.00	\$0 \$0	\$0	\$0 \$0
Land	Appropriate Control			0.00	\$0	a sin/a	\$0
Record Keeping System	N. 3 . 1 . 184			0.00	\$0	n/a	\$0
Training/Sampling	Service and the service and th	146 44. 8.4.22		0.00	\$0	= :::::n/a====	\$0
Remediation/Disposal	Biji kilo sala kilo s		Colf Fee Baltings 1 6 7 2.	0.00	\$0	Essent n/Astron	\$0
Permit Costs	Branches Commence		District Control	0.00	\$0	≡ i a n/a i a a	\$0
Other (as needed)	18. AC 18. THE STATE OF	1 4 1 2 2 2 4 1 2 2	Just Sakri Sak				
	The econor	nic benefit delaye		0.00 		n/a	1 \$0
Notes for DELAYED costs		of the second se	ed costs for Insta Inclu	illing contro ded in Viol	ols to reduce \ ation 1	/OC emissions below	v 100 tpy are
Avoided Costs	ANNUAL	of the second se	ed costs for Insta Inclu	illing contri ded in Viol entering i	ols to reduce \ ation 1: tem (except	/OC emissions belov	v 100 tpy are
Avoided Costs Disposal	ANNUAL	IZE [1] avoide:	ed costs for Insta Inclu	alling contro ded in Viol entering i	ols to reduce \ ation 1; tem (except \$0	OC emissions below	v 100 tpy are ded costs)
Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avolder	ed costs for Insta Inclu	alling contro ded in Viol entering i 0 00	ois to reduce \ ation 1; tem (except \$0	OC emissions below	v 100 tpy are ded costs) \$0 \$0
Avoided Costs Disposal Personnel	IAUNNA	IZE [1] avoided	ed costs for insta inclu Costs before	alling contro ded in Viol entering i	ols to reduce \ ation 1; tem (except \$0	OC emissions below	v 100 tpy are ded costs) \$0 \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling	ANNUA	IZE 11 avoided	ed costs for insta inclu Costs before	entering 1	ols to reduce \ ation 1: tem (except \$0; \$0; \$0; \$0; \$0;	OC emissions below	v 100 tpy are ded costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment	ANNUA	IZE [1] avoider	ed costs for Insta Inclu Costs before	entering (ojs to reduce \ ation 1: tem (except \$0: \$0: \$0:	OC emissions below	v 100 tpy are ded costs) \$0 \$0 \$0

Compliance History Customer/Respondent/Owner-Operator: CN600132344 Devon Energy Production Company, Classification: AVERAGE Rating: 2.66 L.P. Regulated Entity: Classification: AVERAGE Site Rating: 3.01 RN105780746 HELEN CRUMP TANK BATTERY BY DEFAULT ID Number(s): AIR NEW SOURCE PERMITS REGISTRATION 94179 AIR NEW SOURCE PERMITS REGISTRATION 93540 Location: On a private road approximately 1600 feet south of State Highway 338 and 1000 feet west of South Holloman Avenue, south of Odessa, Ector County TCEQ Region; **REGION 07 - MIDLAND** Date Compliance History Prepared: December 01, 2010 Agency Decision Requiring Compliance History: Enforcement Compliance Period: December 01, 2005 to December 01, 2010 TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History Miriam Hall Name: Phone: (512) 239 - 1044Site Compliance History Components 1. Has the site been in existence and/or operation for the full five year compliance period? Yes 2. Has there been a (known) change in ownership/operator of the site during the compliance period? No 3. If Yes, who is the current owner/operator? N/A 4. If Yes, who was/were the prior owner(s)/operator(s)? N/A 5. When did the change(s) in owner or operator occur? N/A 6. Rating Date: 9/1/2010 Repeat Violator: NO Components (Multimedia) for the Site: Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government. N/A Any criminal convictions of the state of Texas and the federal government, Chronic excessive emissions events. N/A D. The approval dates of investigations. (CCEDS Inv. Track. No.) 1 10/29/2010 (870646)E. Written notices of violations (NOV), (CCEDS Inv. Track, No.) N/A F. Environmental audits. Notice of Intent Date: 07/09/2009 (767085)No DOV Associated G. Type of environmental management systems (EMSs). Voluntary on-site compliance assessment dates. H. N/A Participation in a voluntary pollution reduction program. N/A

Sites Outside of Texas N/A

N/A

Early compliance.

Penalty Calculation Worksheet (PCW) Policy Revision 2 (September 2002) PCW Revision October 30, 2008 DATES Assigned 1-Nov-2010 PCW 16-Nov-2010 Screening 5-Nov-2010 EPA Due 12-Jul-2011 RESPONDENT/FACILITY INFORMATION Respondent Devon Energy Production Company, L.P. Reg. Ent. Ref. No. RN105780712 - Floyd Tank Battery Facility/Site Region 7-Midland Major/Minor Source Major CASE INFORMATION Enf./Case ID No. 40691 No. of Violations 4 Docket No. 2010-1830-AIR-E Order Type 1660 Media Program(s) Ale Government/Non-Profit No Multi-Media Enf. Coordinator Mirjam Hall EC's Team Enforcement Team 4 Admin. Penalty \$ Limit Minimum Maximum \$10,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) \$32,500 Subtotal 1 ADJUSTMENTS (#/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Compliance History Subtotals 2, 3, & 7 \$0 0.0% Enhancement The Respondent submitted one notice of intent to conduct an audit and one disclosure of violations; however, because a reduction would be Notes below zero, the enhancement defaults to zero. **Culpability** No Subtotal 4 0.0% Enhancement \$0 The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 \$1,250 0.0% Enhancement* Economic Benefit \$0 Subtotal 6 Total EB Amounts \$14,391 Capped at the Total EB \$ Amount Approx. Cost of Compliance SUM OF SUBTOTALS 1:7 Final Subtotal \$31,250 OTHER FACTORS AS JUSTICE MAY REQUIRE 16.8% Adjustment \$5,254 Reduces or enhances the Final Subtotal by the indicated percentage. Enhancement for the estimated avoided cost for Violation No. 2. Notes Final Penalty Amount \$36,504

Final Assessed Penalty

Reduction Adjustment

20.0%

\$36,504

-\$7,300

\$29,204

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Deferral offered for expedited settlement,

DEFERRAL

Notes

PAYABLE PENALTY

Docket No. 2010-1830-AIR-E

PCW

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

Respondent Devon Energy Production Company, L.P.

Case ID No. 40691

Reg. Ent. Reference No. RN105780712 - Floyd Tank Battery

Media [Statute] Air

Enf. Coordinator Mirlam Hall

Compliance History Worksheet

>> Compliance Histo Component	ry <i>Site</i> Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		0%
Judgments'	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	Q	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non- adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		-1%
Audite in the second se	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)		-2%
	Ple	ease Enter Yes or No	, , , , , , , , , , , , , , , , , , ,
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
>> Repeat Violator (Adjustment Per	rcentage (Sub	total 2) 0%
3. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	Adjustment Per	rcentage (Sub	Tere III. 1981 Cox Will Digital Property
>>#Compliance Histo	ry Person Classification (Subtotal 7)		

Average Performer

Adjustment Percentage (Subtotal 7)

>> Compliance History Summary

Compliance History Notes

The Respondent submitted one notice of intent to conduct an audit and one disclosure of violations; however, because a reduction would be below zero, the enhancement defaults to

Total Adjustment Percentage (Subtotals 2, 3, & 7)

Resp End ent Devon Enroy Production Company, L.P. Case TD. No. 140591 Reg. Ent. Reference No. 1110578712 - Floyd Tank Eastery Media (Stature) Red. (Stature) Red. (Stature) Rule Cite(a) Rule Cite(a) Rule Cite(b) Rule Cite(c) Rule Ci	Case ID No.	5-Nov-2010 Docket No. 2010-1830-AIR-E	· PRGW
Reg. Ent. Reference No. Misios 2012 - Plays Tank Battery Media [Statute] Bif. Coordinator Wisam Hal: Violation Number Ruis Cite(s) 70 /Fex. Alemin. Code § 116.110(a) and Fex. Health & Sareky Code § 382.0518(a) and 382.08(b)	Company of the contract of the	- · · · · · · · · · · · · · · · · · · ·	y Revision 2 (September 2002)
Media Statute Air Risk Coordinator Miran Hall Violation Number 1	DAG Ent Dataranca Na	•	PCW Revision October 30, 2008
Percent Perc	and the first property of the first of the f	,	and the first state of the stat
Violation Number 1 30 Tex. Admin. Code 8; 116.110(s) and Tex. Health is Safety Code 5; 382.0518(s) and 382.055(b). Failed to obtain permit authorization for the flow Tank. Battery. Specifically, the Respondent exceeded this entities all emission also of 22.8 tims for year ("tby") of volatile organic compounds ("VCC") conflicted and registered user Permit by Rule ("PRE", Respondent Compounds ("VCC") conflicted and registered user Permit by Rule ("PRE", Respondent on the 3175", Issued on Photostary 24, 2010. by 143. tens of VCC, therefore, me Floyd Tank Battery cennot sales the conditions of the PRE for Oil and gas production recitues. Programmatic Matrix Harm Hone			a property and the state of the
Rule Cite(s) 30 Tex. Ačmin. Code § 116.10(s) and Tex., Health & Safety Code §§ 382.0518(s) and 382.08(s)(s). Falled to obtain permit authorization for the flood Tank Bettery. Specifically, the Respondent exceeded the ganual emission ratio of 22.8 tions per year ("top") of Videlle organic compounds ("Voo") certifier and registered under Permit by Rule ("PER") Resistration No. 91367, Issued on zebruary 24, 2010, by 43.3 toris of Voo", therefore, the Floyd Tank Battery aning a stable the conditions of the PRR for off and gas. production facilities. **Base Penalty** **See Penalty** **Percent**			Ann Ann Ver
Failed to abtein permit authorization for the Relyd Tanik Battery. Specifically, the despondent exceeded the annual emission rate of 22.8 traps per year ("try") of Widelin organic compounds ("VOC) certified and resistered under Permit by Rule ("Faile") do year to compound ("VOC) certified and resistered under Permit by Rule ("Faile") do year to annual emission rate of 22.8 traps per year ("try") of Widelin organic compounds ("VOC) certified and resistered under Permit by Rule ("Faile") do year to annual emission rate of 22.8 traps per year ("try") of Widelin organic compounds ("VOC) certified and permit by Rule ("Faile") do year to emission of the Pail for OU. Therefore, the Rings ("Faile") and gas, production rightless. Base Penalty \$10,000	Violation Number		<u> </u>
Failed to obtain permit authorization for the Floyd Tank Battery. Specifically, the Respondent exceeded the annual emission ratio of 22.8 bins per year ("tpyl") of vigatile organic compounds ("CO") certified and replated under Permit by Rule ("PBR") Respondent No. 91797, located and replated under Permit by Rule ("PBR") Respondent No. 91797, located on Policiary 24, 2010, by 43.3 tanss of VOC; therefore, the Floyd Tank Battery permit safety the conditions of the PBR for No! and gas production families. Base Penalty	Rule Cite(s)		18(a)
Respondent exceeded the annual emission rate of 22.8 tons per year ("typ") of violation Description Violation Violation Description Violation Description Violation Violation Description Violation Violation Description Violation		and 382:085(b)	<u>41 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1</u>
Respondent exceeded the annual emission rate of \$2.8 tors per year ("typ") of violation Description Violation Description Violation Description Violation Description Violation Description Violation Description Violation Permit by Release Violation Permit Violation Permit Violation Permit Violation Permit Violation Permit Violation Description Violation Permit Violation Description Violation Permit Violation Description Violation Violation Description Violation Description Violation Violation Description Violation Violation Description Violation Vio		Falled to obtain permit authorization for the Floud Tank Battons. Coolfically	Tho.
Violation Description Violation Companies ("VOC") certified and registered under Permit by Rule ("PBR) Registration to 1976, Issued on Proteinary 24, 2010 by 43.3 fors of VOC; therefore, the Flord Tarix Battery cannot satisfy the conditions of the PBR for Idland Base Penalty \$10,000			
CPBR) Assistant No. 91707, Issued on February 24, 2010, by 43.3 forms of VOC; therefore, the Floyd Tank Battery cannot satisfy the conditions of the PBR for July Harm Release Major Moderate Minor Percent DNS Potential Potential Potential Potential Percent DNS Percent DNS Potential Potential Percent DNS Po	Minimum Branchina	volatila organic compounds ("VOC") codified and registered under Bernit by	
See Penalty \$10,000 See Penal	violation Description	("PBR") Registration No. 91767, issued on February 24, 2010, by 43.3 tons	of
See Penalty \$10,000 Second Faith Efforts to Comply Notes Figure 1 Notes Release Major Moderate Minor Actual Major Moderate Minor Percent 0% Percent 25% Percent 25% Adjustment 47,500 \$2,500 Violation Events Number of Violation Events Number			R fór
>> Environmental, Property and Human Health.Matrix Harm Release Major Moderate Minor Percent 0%		oll and gas production facilities.	and the second s
>> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor Percent 0%			المنت
Notes Number of Violation Events Number of Violation Number of Violation Events Number of Vio		Base Pe	nalty \$10,000
Notes Number of Violation Events Number of Violation Number of Violation Events Number of Vio			,
Release Major Moderate Minor Actual Potential Percent 0% >>Programmatic Matrix Palsification Major Moderate Minor Palsification Major Major Minor Major Major Minor Major Maj	>> Environmental, Proper		
Percent 0% Potential Potential Percent 0% Percent 0% Percent 25% Matrix Notes The Respondent failed to comply with 100% of the rule requirement. Adjustment 57,500 \$2,500 Violation Events Number of Violation Events 9. 254 Number of violation days display with an x Willia monthly events are recommended from the date the PBR Registration was issued (February 24, 2010) to the screening, date (November 5, 2010). Good Faith Efforts to Comply Ordinary Ordinary Ordinary Ordinary N/A Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation \$30,000 Statutory Limit Test Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283	pal		
Potential Major Moderate Minor Palsification Major Moderate Minor Palsification Major Moderate Minor Percent 25% Matrix Notes The Respondent failed to comply with 100% of the rule requirement. Adjustment \$\frac{47,500}{47,500} Violation Events Number of Violation Events \$\frac{410}{9} \\ \text{weekly monthly weekly monthly weekly monthly events are recommended from the date the PBR Registration was issued (February 24, 2010) to the screening date (November 5, 2010). Good Faith Efforts to Comply \$0.0% Reduction \$\frac{1}{9} \\ \text{November of Violation Subtotal} \\ \text{Notes} \\ \text{The Respondent does not meet the good faith criteria for this violation.} \\ \text{Violation Subtotal} \\ \text{Statutory.Limit Test} \\ \text{Estimated EB Amount} \\ \text{\$\frac{1}{9},137} \\ \text{Violation Final Penalty Total} \\ \text{\$\frac{2}{9},262,283} \\ \text{Violation Final Penalty Total} \\ Vio			
>> Programmatic Matrix Falsification Major Moderate Minor Falsification Major Moderate Minor Falsification Major Moderate Minor Matrix Notes The Respondent failed to comply with 100% of the rule requirement. **Adjustment** \$7,500 **Statutory Limit Test** **Number of Violation Events** Number of Violation Events* Number of Violation Events **Number of Violation Events** Number of Violation Events* **Number of Violation Events** **Violation Base Penalty** **\$\$22,500 **Statutory Limit Test** **Sta	er freuhreite der der vertreiten der vertreiten der der vertreiten der der vertreiten der vertre		Arrange de la company de la co
Matrix Notes The Respondent failed to comply with 100% of the rule requirement.	T decircia)	· Carcine Control of the Control of	
Matrix Notes The Respondent failed to comply with 100% of the rule requirement.	>>Programmatic Matrix		
Matrix Notes The Respondent falled to comply with 100% of the rule requirement. Adjustment \$7,500 \$2,500 Violation Events Number of Violation Events Violation Base Penalty \$22,500 \$22,500 \$22,500 Nine monthly events are recommended from the date the PBR Registration was issued (February 24, 2610) to the screening date (November 5, 2010). Good Faith Efforts to Comply Peters NOV Nov to EPPR/Settlement Offer Extraordinary Ordinary N/A X (mark with x) The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500		Major Moderate Minor	and of the same of
Matrix Notes The Respondent falled to comply with 100% of the rule requirement. Adjustment \$2,500 \$2,500 Violation Events Number of Violation Events Number of Violation Events Number of Violation Events Part and only one with an x In a service of the rule requirement. Number of Violation Events Number of Violation Events Violation Base Penalty \$22,500 \$254 Number of Violation days ### Violation Base Penalty \$22,500 ***Semiannual annual annua	BACAGARAH	Percent 25%	\$ C C C C C C C C C C C C C C C C C C C
Matrix Notes The Respondent falled to comply with 100% of the rule requirement. Adjustment \$2,500 \$2,500 Violation Events Number of Violation Events Number of Violation Events Number of Violation Events Part and only one with an x In a service of the rule requirement. Number of Violation Events Number of Violation Events Violation Base Penalty \$22,500 \$254 Number of Violation days ### Violation Base Penalty \$22,500 ***Semiannual annual annua	The state of the s		
Notes The Respondent Tailed to comply with 100% of the rule requirement. \$7,500 \$2,500	Matrix		
Section Sect	Control Contro		
Violation Events Number of Violation Events Number of Violation Events Violation Base Penalty	Particular de la constantina del constan	and the control of the control of the control of the first of the first of the first of the control of the control of	and the second
Violation Events Number of Violation Events Number of Violation Events Violation Base Penalty		Adjustment \$	7,500
Number of Violation Events Number of Violation Events 9 254 Number of violation days			
Number of Violation Events 9 254 Number of violation days daily			\$2,500
Number of Violation Events 9 254 Number of violation days daily	Violation Events		Topological Control
Mine monthly events are recommended from the date the PBR Registration was issued (February 24, 2010) to the screening date (November 5, 2010). Constitution	Violation Events		To play produce on the section in the sec
Mine monthly events are recommended from the date the PBR Registration was issued (February 24, 2010) to the screening date (November 5, 2010). Constitution	Number of '	Violation Events 2544 Number of violation days	
weekly monthly x your with an x weekly monthly x your with an x weekly your	in tage to the control of the contro	<u> </u>	· · · · · · · · · · · · · · · · · · ·
mark only one with an x Mine monthly x	1986	dally and a second	
With an x semiannual semiannual semiannual semiannual single: event some recommended from the date the PBR Registration was issued (February 24, 2010) to the screening date (November 5, 2010). Good Faith Efforts to Comply 0.0% Reduction semiannual services and semiannual services are recommended from the date the PBR Registration was issued (February 24, 2010) to the screening date (November 5, 2010). Good Faith Efforts to Comply 0.0% Reduction semiannual		the first week Nymes van	
Nine monthly events are recommended from the date the PBR Registration was issued (February 24, 2010) to the screening date (November 5, 2010). Good Faith Efforts to Comply			To provide the second s
Nine monthly events are recommended from the date the PBR Registration was issued (February 24, 2010) to the screening date (November 5, 2010). Good Faith Efforts to Comply O.0% Reduction Before NOV NOV to EDPRE/Settlement Offer Extraordinary Ordinary N/A X (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283	mark anh ana	And the second s	
Nine monthly events are recommended from the date the PBR Registration was issued (February 24, 2010) to the screening date (November 5, 2010). Good Faith Efforts to Comply O.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283		And the second s	enalty \$22,500
Nine monthly events are recommended from the date the PBR Registration was issued (February 24, 2010) to the screening date (November 5, 2010). Good Faith Efforts to Comply. Defore NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation \$137 Violation Final Penalty Total \$26,283		quarterly: Violation Base Pe	enalty \$22,500
Good Faith Efforts to Comply O.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283		quarteriy Violation Base Persemiannual annual control of the contr	enalty \$22,500
Good Faith Efforts to Comply O.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283		quarteriy Violation Base Persemiannual annual control of the contr	enalty \$22,500
Good Faith Efforts to Comply Defore NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A X (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation \$137 Violation Final Penalty Total \$26,283	with an x	quarterly Violation Base Persential Violation Base Persential Single:event	
Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation \$9,137 Violation Final Penalty Total \$26,283	with an x	quarterly. semiannual annual single:event. events are recommended from the date the PBR Registration was issued (Feb.	
Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation \$9,137 Violation Final Penalty Total \$26,283	with an x	quarterly. semiannual annual single:event. events are recommended from the date the PBR Registration was issued (Feb.	
Extraordinary Ordinary N/A Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283	with an x Nine monthly	quarterly. semiannual annual single event events are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010):	
Ordinary N/A X	with an x Nine monthly	quarterly. semiannual annual single event events are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010):	ruary
N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation \$137 Violation Final Penalty Total \$26,283	with an x Nine monthly	quarterly violation Base Personnal single events are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). ply 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer	ruary
Notes The Respondent does not meet the good faith criteria for this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation \$137 Violation Final Penalty Total \$26,283	with an x Nine monthly	quarterly semiannual annual single events are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). ply 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary	ruary
this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283	with an x Nine monthly	quarterly semiannual annual single events are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). ply 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary	ruary
this violation. Violation Subtotal \$22,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283	with an x Nine monthly	quarterly semiannual annual single-event events are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). ply 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary Ordinary	ruary
Violation Subtotal \$22,500 Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283	with an x Nine monthly	quarterly semiannual annual single-event vevents are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). ply 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A X (mark with x) The Respondent does not meet the good faith criteria for	reary
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283	with an x Nine monthly	quarterly semiannual annual single-event semiannual single-event semiannual single-event sevents are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). ply 0.09% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for	ruary
Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283	with an x Nine monthly	quarterly semiannual annual single-event semiannual single-event semiannual single-event sevents are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). ply 0.09% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for	ruary
Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283	with an x Nine monthly	quarterly semiannual annual single events are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). ply 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation.	so \$0
Estimated EB Amount \$9,137 Violation Final Penalty Total \$26,283	with an x Nine monthly	quarterly semiannual annual single events are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). ply 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation.	so \$0
	With an x Nine monthly Good Faith Efforts to Com	quarterly semiannual annual single-event semiannual single-event semiannual single-event semiannual single-event sevents are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). ply	\$0 \$0
This violation Final Assessed Penalty (adjusted for limits) \$26,283	Nine monthly Good Faith Efforts to Com Economic Benefit (EB) for	quarterly semiannual semiannual single-event semiannual single-event sevents are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). Div	\$0 \$0 btotal \$22,500
\$20,203	Nine monthly Good Faith Efforts to Com Economic Benefit (EB) for	quarterly semiannual semiannual single-event semiannual single-event sevents are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). Div	\$0 \$0 \$0 \$22,500 \$1 \$22,500
	Nine monthly Good Faith Efforts to Com Economic Benefit (EB) for	quarterly semiannual semiannual single event. Yevents are recommended from the date the PBR Registration was issued (Feb. 24, 2010) to the screening date (November 5, 2010). IPLY 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x) Notes The Respondent does not meet the good faith criteria for this violation. Violation Sulteted EB Amount \$9,137 Violation Final Penalty	\$0 \$22,500 \$26,283

Economic Benefit Worksheet Respondent Devon Energy Production Company, L.P. Case ID No. 40691 Reg. Ent. Reference No. RN105780712 - Floyd Tank Battery Media Air Years of Percent Interest Violation No. 1 Depreciation 5.0 Yrs Interest Saved Onetime Costs EB Amount Item Cost Date Required Final Date Item Description No commas or \$ Delayed Costs Equipment 30-May-2011 1.26 \$420 \$8,402 \$8,822 Buildings 0.00 \$0 \$0 \$0 Other (as needed) 0.00 <u>\$0</u> \$0 \$0 Engineering/construction 0.00 \$0. \$0 \$0 Land 0.00 \$0 ≅n/a-. \$0 Record Keeping System 0.00 \$0 n/a \$0 Training/Sampling ∥n/a 0.00 \$0 \$0 Remediation/Disposal 0.00 \$0 ₽ l″n/a ≒+- ₽ Permit Costs \$5,000 24-Feb-2010 30-May-2011 1.26 \$315 \$315 sin/as Other (as needed) 0.00 \$0 ##n/alianger - \$0 The estimated cost for emission control equipment and emission reduction projects including an auto-Ignite flare, high pressure screw vapor recovery unit, lease automatic custody transfer ("LACT") metering Notes for DELAYED costs system, and sales gas compression system to qualify for a standard permit and the estimated cost for obtaining a standard permit. The "Date Required" is the date the PBR Registration was issued, and the "Final Date" is the estimated compliance date. Avoided Costs ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) 0.00 Disposal \$0 \$0 \$0 Personnel 0.00 \$0 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0 Supplies/equipment 0.00 \$0 \$0 \$0 Financial Assurance [2] 0.00 \$0 \$0 \$0 ONE-TIME avoided costs [3] 0.00 \$0 \$0 \$0 Other (as needed) 0.00 \$0 Notes for AVOIDED costs \$105,000 TOTAL Approx. Cost of Compliance \$9,137

Screening Date		Docket No. 2010-1830-AIR-E	#PcW=
	Devon Energy Production Compan	ny, L.P.	Policy Revision 2 (September 2002)
Case ID No.			PCW Revision October 30, 2008
Reg. Ent. Reference No. Media [Statute]	RN105780712 - Floyd Tank Batter	ry	1
Enf. Coordinator			
Violation Number			The state of the s
		and 122,130(b)(1) and Tex. Health & S	afety Code
		32.054 and 382.085(b)	
			1
		application for a federal operating permi eeded 100 tpy of VOC. Specifically, in t	
	registration the natural case th	aroughput was certified/represented as	
Violation Description	standard cubic feet per day ("s	cf/day"). Throughput data from Septer	nber and
		out as high as 970,000 scf/day with an a	
e de constant de c	800,000 scr/day. Based on thi	s data, the PTE is approximately 152 tp	/ or voc.
1 1			
Consistency Constitution of the Constitution o		Ва	se Penalty \$10,000
>> Environmental, Proper	ty and Human Health Mai	u ix	
Release	Harm Major Moderate N	Albert	TO THE PARTY OF TH
OR Actual	P	Minor 호존 영화대	sus of process
Potential		Percent 0%	
			-
>>Programmatic Matrix			4 s s s s s s s s s s s s s s s s s s s
Falsification		Vinor Percent 25%	T T T T T T T T T T T T T T T T T T T
	Section Associated With Contract Association (Contract Section 2017)	referre 25 /	<u>1</u>]
Matrix Notes		with 100% of the rule requirement.	
Notes			
Part of the State			
		Adjustment	\$7,500
			\$2,500
 		· · · · · · · · · · · · · · · · · · ·	
Violation Events			And the second s
Number of '	Violation Events	65 Number of violatio	n days
and a second			
Target in the	daily weekly		
nega i nega	weekly monthly		
mark only one with an x	guarterly	Violation Ba	se Penalty \$2,500
with an X	semiannual		
A-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	annual 22222		
spript like gr	single event		
	One single ever	nt is recommended.	
			- p 7 - 1
Good Faith Efforts to Com	ply 0,0% Red	na la	\$0
Sood Falen Endits to Con		to EDPRP/Settlement Offer	90
	Extraordinary T		
	Ordinary		
	N/A X: (mar	rk with x)	1
T-T-T-T-T-T-T-T-T-T-T-T-T-T-T-T-T-T-T-	The Respondent	does not meet the good faith criteria for	r.]
	Notes	this violation.	
			_!
		Violatio	on Subtotal \$2,500
Economic Benefit (EB) for	this violation	Statutory Lim	iit Test
	ted EB Amount	\$5,254 Violation Final Pe	
, Estillat	AIIIVUIILI	TOTAL TIME PER PROPERTY OF THE PER PER PROPERTY OF THE PER PER PER PER PER PER PER PER PER PE	munity i Otali PZ,920
vide and a second		on Final Assessed Penalty (adjusted	I for limits) \$2,920

Violation No.	Air 2	th man a human genan con through a const	annesses and the second	MINISTER OF STREET		Percent Interest	Years of Depreciation
			in 15 Hrzitzi. 45,627 i 102 Gesti		(1991) 1992 (1986) 209 4-1994 (1987)	5.0	1!
	28. 8479250 CMCCCC, COSTS	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	unici de la company de la comp	लेक्स इंडिक्ट इंदिस स्वेज सहिताला के पी		1824 - Pirther Course	र स्ट्रिक्ट केंग्रा रेस के हरीन पूर्व एकर स	
Delayed Costs		A Property Comments	Gregoria (All Selection)		Section is a secretary of the		
Equipment		.0%. / r		0.00	\$0	\$0	\$0
Buildings	F- (2 7) 3-4		C. P. I.	0.00	\$0	\$0	\$0
Other (as needed)			is a second	0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$D	\$0	\$0 -
Land		Bari turi eya ta		0.00	\$0	elecation/a-a-r	\$0
Record Keeping System	P - 2 2 1 2 2 2 2	E 7 -85 Th E 23		0.00	\$0	sia san/a	\$0
Training/Sampling	1.00	Jan San San San San San San San San San S		0.00	\$0	ere se n/ase	\$0
	* * * * * * * * * * * * * * * * * * * *						
Remediation/Disposal	1 14 51 5			0.00	\$0	E igae'n/a≠ster	\$0
			- 71		\$0 \$0	n/a n/a	\$0 \$0
Remediation/Disposal Permit Costs Other (as needed)	The econor	nic benefit delaye		0.00 0.00 0.00 o.00	\$0 \$0 Introls to reduce V	n/a n/a n/a OC emissions below	\$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs			Inclu	0.00 0.00 0.00 alling co	\$0 \$0 Introls to reduce V		\$0 \$0 100 tpy are
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Gosts			Inclu	0.00 0.00 0.00 ded in '	\$0 \$0 Introls to reduce vololation 1. gitem (except	for one-time avol	\$0 \$0 / 100 tpy are
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs			Inclu	l 0.00 0.00 0.00 alling co ded in ' enterir	\$0 \$0 untrols to reduce v violation 1. ig item (except \$0	for one-time avol	\$0 \$0 / 100 tpy are // 16d costs)
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED GOSTS Disposal Personnel	ANNUAL		Inclu	0.00 0.00 0.00 ded in enterin	\$0 \$0 untrols to reduce V Violation 1. ig item (except \$0 \$0	for one-time avolution \$0 \$0 \$0	\$0 \$0 / 100 tpy are // 16d Costs)
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED GOSTS Disposal Personnel	ANNUAL	IZE [1] avoided	Inclu	0.00 0.00 0.00 ded in \ enterir 0.00 0.00	\$0 \$0 untrols to reduce v violation 1. ig item (except \$0	for one-time avoid	\$0 \$0 7 100 tpy are led costs) \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	ANNUAL	IZE [1] avoided	inclu	0.00 0.00 0.00 ded in enterin	\$0 \$0 untrols to reduce v violation 1. 1g item (except \$0 \$0	for one-time avol \$0 \$0 \$0 \$0	\$0 \$0 100 tpy are ded costs) \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED GOSTS Disposal Personnel ispection/Reporting/Sampling Supplies/equipment	ANNUAL	IZE [1] avoided	inclu	0.00 0.00 0.00 ded in enterir 0.00 0.00	\$0 \$0 phrols to reduce Violation 1. ng item (except \$0 \$0 \$0	for one-time avol \$0 \$0 \$0 \$0	\$0 \$0 7 100 tpy are led costs) \$0 \$0 \$0

.

Screening Date 5		. Docket No. 2010-1830-AI	R-E P	CW.
	evon Energy Production Compan	y, L.P.	Policy Revision 2 (September	5
Case ID No. 4			PCW Revision October 30), 2008
Reg. Ent. Reference No. R Media [Statute] A		У		4
Enf. Coordinator			·	-
Violation Number	.3.			To the second se
Rule Cite(s)		d Tex. Health & Safety Code § 382	.085(a) and(b)	and de describers of the relation
Violation Description	Odessa Fire Department ("OFD") loyd Tank Battery, arriving at 6: gas line venting, and the OFD's c	ssions on September 24, 2010. Spresponded to a report of a natural 36 a.m. on September 24, 2010. as monitor showed a reading of 1 explosive limit.	gas leak at the The OFD found a	to an about the control of the special property of the control of
en replacement in the second s			Base Penalty \$1	10,000
>> Environmental, Propert	v and Human Health Mat	FIX	American (American)	
	Harm		Security and the second security of the second seco	1
Release		1lnor		44
OR Actual Potential	Constitution of the Consti	Percent	E00/-	and
Potential	中央投資的に行うないかから	Perceit	50%	e e e e e e e e e e e e e e e e e e e
>>Programmatic Matrix				and the same of th
Falsification		<u>Alnor</u>		
	中国的基础的	Percent Percent	0%	y-use lar
Part of the Control o		See to the his particular to the come.	A. A. C. Const. C.	1
		oosed to significant emissions which		
Notes levels that are	protective of human health or er	nvironmental receptors as a result	of this violation.	
The same of the sa	de mar al Mandall and a said a said a said and a said and a said a said and a said and a said a said a said and a said a	Provided in the CA Co. Co. Sec. 25 Sec. 12 Sec. 25 Sec. 12 Sec	130 47 347 2 17 17 17 17 17	1
		Adjustment	\$5,000	
				\$5,000
ne varie				\$3,000 ₁
Violation Events	eration of the Body (North As Charles of the		A control of the cont	
Number of M	olation Events	Number of vite	Antion days	
i italider of vi	olation Events	Number of vio	nation days	
mark only one with an x	daliy weekly monthly -quarterly semiannual annual	Violatio	on Base Penalty	\$5,000
The state of the s	single event x × ·			
	One single event is recomm	ended for September 24, 2010.		
Good Faith Efforts to Comp	ly 25.0% Red	uid on	promise in the control of the contro	\$1,250
		to EDPRP/Settlement Offer	Age from the supplier of the s	1 - /
	Extraordinary Extraordinary			
on the state of th	Ordinary x	le de la		
and	N/A (mar	rk with x)		
		ons were completed on September e NOE was issued October 15, 201		
		Vid	olation Subtotal	\$3,750
Economic Benefit (EB) for	hisvielation	Statutary	Limit Test	
Estimate	d EB Amount	\$0 Violation Fin	al Penalty Total	\$4,380
ear Ann da	This violation	on Final Assessed Penalty (adju	usted for limits)	\$4,380

 All the second of /li>		conomic		M. M		and the second s	
Respondent	Devon Energy	Production Comp	any, L.P.		Control Television of the Control of	and the second s	. ser de salva animal madriada y
Case ID No.	40691						
lea. Ent. Reference No.	RN105780712	Floyd Tank Bati	tery				
Media	Air					Percent Interest	Years of
Violation No.	3					Percent Interest	Depreciation
				rt Francisco		5.0	15
	Ttom Cost	Date Required	Einal Dato	V +-	tavat cauad	Onetime Costs	EB Amount
	والأراج والمتحرم والمحرار أراج المراجع أنسان والمسترور والمرازي والمرازي والمرازي	Mark and the second and the second and the second		A TISTAL A ESTABLE	iterest saveu	Onethine costs	EB AIIIUUIIL
Item Description	No commas or \$						
		Gaggara statuar - Asipanga	21,1250 (27,200 42,120 40,120		NETWEND TO STANFOLD BY	SECONE VERSE CONTRACTOR	The state of the s
Delayed Costs		1		La col		ATTACHMENT OF THE STATE OF	
Equipment Buildings				0.00	\$0 \$0	\$0	\$0
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0
Engineering/construction				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Land				0.00	\$0 \$0	50 22 25 0/a*	
Record Keeping System				0.00	\$0 \$0	CONTRACTOR AND ADDRESS OF A CORE NO WANTER CONTRACTOR OF THE	\$0 \$0
Training/Sampling	 			0.00	\$0	n/accar	\$0 \$0
Remediation/Disposal		1		0.00	\$0	ii/a	\$0
	N.:						
Parmit Costs			Page 1 1 2 2 1			the state of the s	
Permit Costs Other (as needed)	\$500	24-Sep-2010	25-Sep-2010	0.00	\$0 \$0	iz two n/a z + + + + + + + + + + + + + + + + + +	\$0 \$0
	The estimate fashion to pro	ed cost of repairin	g the line and n ring and rupturi	0.00 0.00 nodifying ng of poly	\$0 \$0 procedures to c ines from occ	n/a n/a pen up wells in a m urring: The "Date R	\$0 \$0 ore controlled equired" is the
Other (as needed) Notes for DELAYED costs	The estimate fashlon to produce date	ed cost of repairing event over pressu of the violation, a	g the line and n ring and ruptur! and the "Final D	0.00 0.00 nodifying ng of poly ate" is the	\$0 \$0 procedures to o lines from occ date correctiv	n/a n/a open up wells in a m urring: The "Date R e actions were comp	\$0 \$0 ore controlled equired" is the pleted.
Other (as needed) Notes for DELAYED costs Avoided Costs	The estimate fashlon to produce date	ed cost of repairing event over pressu of the violation, a	g the line and n ring and ruptur! and the "Final D	0.00 0.00 nodifying ng of poly ate" is the	\$0 \$0 procedures to condition occurs date correctives item (except	n/a n/a open up wells in a m urring: The "Date R e actions were comp for one-time avoid	\$0 \$0 ore controlled equired" is the oleted. ded:costs)
Other (as needed) Notes for DELAYED costs Avoided: Costs Disposal	The estimate fashlon to produce date	ed cost of repairing event over pressu of the violation, a	g the line and n ring and ruptur! and the "Final D	0.00 0.00 nodifying ng of poly ate" is the entering 0.00	\$0 \$0 procedures to collines from occion date correctives the corrective the correc	n/a. n/a. n/a. ppen up wells in a m urring: The "Date R e actions were comp for one-time avoid	\$0 \$0 ore controlled equired" is the pleted. ded:costs)
Other (as needed) Notes for DELAYED costs AVOIDED: Disposal Personnel	The estimate fashlon to produce date	ed cost of repairing event over pressu of the violation, a	g the line and n ring and rupturi and the "Final D costs before (0.00 0.00 nodifying ng of poly ate" is the entering 0.00	\$0 \$0 procedures to c Ines from occ date correctiv item (except \$0 \$0	n/a n/a n/a ppen up wells in a m purring: The "Date R e actions were comp for one-time avoid \$0 \$0	\$0 \$0 ore controlled equired" is the pleted. ded costs) \$2 \$0
Other (as needed) Notes for DELAYED costs Avoided: Costs Disposal Personnel Inspection/Reporting/Sampling	The estimate fashlon to produce date	ed cost of repairing event over pressure of the violation, a IZE [1] avoided	g the line and n ring and ruptur! and the "Final D	nodifying ng of poly ate" is the entering 0.00 0.00	\$0 \$0 procedures to c lines from occ date correctiv item (except \$0 \$0 \$0	ppen up wells in a murring: The "Date Re actions were compfor one-time avoid \$0 \$0 \$0	\$0 \$0 ore controlled equired" is the bleted. led costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Enspection/Reporting/Sampling Supplies/equipment	The estimate fashlon to produce date	ed cost of repairing event over pressu of the violation, a	g the line and n ring and rupturi and the "Final D costs before (nodifying of polyate" is the entering 0.00 0.00 0.00 0.00	\$0 \$0 procedures to collines from occidate correctivitem (except \$0 \$0 \$0	in/a n/a n/a ppen up wells in a m urring: The "Date R e actions were comp for one-time avoi \$0 \$0 \$0 \$0	\$0 \$0 ore controlled equired" is the oleted. led costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs 'Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The estimate fashlon to produce date	ed cost of repairing event over pressure of the violation, a IZE [1] avoided	g the line and n ring and rupturi and the "Final D costs before	0.00 0.00 nodlfylng ng of poly ate" is the entering 0.00 0.00 0.00 0.00	\$0 \$0 procedures to collines from occurs date corrective item (exception soccurs soccu	in/a n/a n/a n/a open up wells in a m urring: The "Date R e actions were comp for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 \$0 ore controlled equired" is the oleted. ded costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The estimate fashlon to produce date	ed cost of repairing event over pressure of the violation, a IZE [1] avoided	g the line and n ring and rupturi and the "Final D costs before	nodifying ng of polyate" is the entering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 procedures to c Ilines from occ date correctiv item (except \$0 \$0 \$0 \$0	n/a n/a n/a n/a ppen up wells in a m urring: The "Date R e actions were comp for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ore controlled equired" is the oleted. ded:costs) >>> \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The estimate fashlon to produce date	ed cost of repairing event over pressure of the violation, a IZE [1] avoided	g the line and n ring and rupturi and the "Final D costs before	0.00 0.00 nodlfylng ng of poly ate" is the entering 0.00 0.00 0.00 0.00	\$0 \$0 procedures to collines from occurs date corrective item (exception soccurs soccu	in/a n/a n/a n/a open up wells in a m urring: The "Date R e actions were comp for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 \$0 ore controlled equired" is the oleted. ded costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The estimate fashlon to produce date	ed cost of repairing event over pressure of the violation, a IZE [1] avoided	g the line and n ring and rupturi and the "Final D costs before	nodifying ng of polyate" is the entering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 procedures to c Ilines from occ date correctiv item (except \$0 \$0 \$0 \$0	n/a n/a n/a n/a ppen up wells in a m urring: The "Date R e actions were comp for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ore controlled equired" is the oleted. ded:costs) >>> \$0 \$0 \$0 \$0 \$0 \$0

,

್ ್ Screening Date		PCW
		Revision 2 (September 2002)
Case ID No.	40691 RN105780712 - Floγd Tank Battery	CW Revision October 30, 2008
Media [Statute]		
Enf. Coordinator		e le
Violation Number	A 4	
Rule Cite(s)	30 Tex. Admin. Code § 101.4 and Tex. Health & Safety Code § 382.085(a) and	(b)
Violation Description	Falled to prevent nulsance odor emissions on September 29, 2010. Specifical TCFQ investigators responding to an odor complaint, observed visible emission from the Enardo valve and tank hatch from one of the four tanks at the Floyd T Battery and confirmed a nulsance odor off-site and downwind of the tanks.	ns
	Base Pen	nalty \$10,000
>> Environmental, Proper	y and Human Health Matrix	gustage care to
	Harm	
Release OR Actual	Major Moderate Minor	And the state of t
Potential	Percent 25%	
		افعا بالمناورة
>>Programmatic Matrix == Falsification	Major Moderate Minor	tobar W
A STATE OF THE STA	Percent 0%	
PER SECTION AND ADDRESS OF THE PER SECTION ADDRESS OF THE PER SECTION AND ADDRESS OF THE PER SECTION ADDRESS OF THE		*************************************
Contraction of the contraction o	or the environment has been exposed to insignificant emissions which do not ex	
Notes levels that ar	e protective of human health or environmental receptors as a result of this violat	ion.
	Adjustment \$7	7,500 1
		\$2,500
Violation Events		Bulleting State Colon of the Co
		properties
Number of '	fiolation Events 1 1 Number of violation days	
mark only one with an x	daily weekly monthly quarterly semiannual annual single event x	nalty \$2,500
W		1.3.3.1
	One single event is recommended for September 29, 2010:	The state of the s
Good Faith Efforts to Com		\$0
nave (classes)	Before NOV NOV to EDPRP/Settlement Offer Extraordinary	
Lizerrana	Ordinary	4
Annual Property of the Contract of the Contrac	N/A (mark with x)	r in a second
	Notes The Respondent does not meet the good faith criteria for this violation.	
temperature of the state of the	Violation Sub	ototal \$2,500
Economic Benefit (EB) for	this violation Statutory Limit Te	št
\$	ed EB Amount \$0 Violation Final Penalty	

	This violation Final Assessed Penalty (adjusted for li	mits) \$2,920

	E	conomic	Benefit	Wo	rksheet		opiliza (T. Janes) (S. 1914). (Si
		Production Comp	any, L.P.	,			2 mary 1 mary 2
Case ID No.							
Reg. Ent. Reference No.		2 - Floyd Tank Bati	tery			personal and the second of the	
Media (Percent Interest	Years of
Violation No.	4	to a set the control of the set o					Depreciation
						5.0	15
operatorium did Saferia	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description			Nakonakid-51 dan sah Tagi Gratike Grafis				
gen was deems eine was die 122 in 147 au 2021 die 147 au 2021. Territoria				5.7516.691.		14 74 2 2 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	
Delayed Costs	tones in discourance						
Equipment				10.00	\$0	\$0	\$0
Buildings			Carlot State State	0.00	\$0	\$0	\$0
Other (as needed)	The true of the		Light Turbeller	0.00	\$0	\$0	\$0
Engineering/construction			44 1 4 1 4 1 4 1 4 1	0.00	\$0	\$0	\$0
Land	e distribuie, gasette.			0.00	\$0	n/a est	\$0
Record Keeping System		1 - 2 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -		0.00	\$0	ar, an/arc	\$0
Training/Sampling		14 - A. D. L. 18 - 18 - 18 - 18 - 18 - 18 - 18 - 18		0.00	\$0	n/a ==	\$0
Remediation/Disposal	of the professions		11 Per 1 1 1 1	0,00	\$0	a de n/a la	\$0
Permit Costs	CONTRACTOR			0.00	\$0	Production/articles	\$0
Other (as needed)	e din didilik berse		A ALCOHOLD	0.00	\$0	in Promin/a ≠ 15 ±	\$0
Notes for DELAYED costs					luded with Violatio		
						for one-time avoi	A. a.C. a.C. bella bases, Acres and a second
Disposal	Participation (Control		military ist, Africa	0.00	\$0	<u>\$0</u>	\$0
Personnel		The state of the s	g shaan dahari i	0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling	Mercy of a type of the general property of	7 (7)	1 and 1 and 1 and 1 and 1 and 1	0.00	\$0	\$0	\$0
Supplies/equipment	the state of the s	T PATEL AND BUT TO A		0.00	\$0	\$0	\$0
Financial Assurance [2]	Programme Commence of the Comm	a paula gradia in nata di digi. Ni historia na kalimina di dia	All year to a first	0.00	\$0	\$0 \$0	\$0
ONE-TIME avoided costs [3] Other (as needed)	3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3		Employee to the man	0.00		\$0 \$0	\$0 \$0
Other (as needed)				11 0.00	<u> </u>	1 30	- 50
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$0			TOTAL		\$0

Compliance History

Customer/Respondent/Owner-Operator:	CN600132344	Devon Energy Product L.P.	lon Company,	Classification: AVERAGE	Rating: 2.66
Regulated Entity:	RN105780712	FLOYD TANK BATTE	RY	Classification: HIGH	Site Rating: 0.00
ID Number(s): Location:	AIR NEW SOUP	CE PERMITS	REGIS [*]	TRATION TRATION	91767 94078
Location,		IVE, APPROXIMATELY () 9338, SOUTH OF ODES:		7	
TCEQ Region:	REGION 07 - MIL	DLAND			
Date Compliance History Prepared:	December 01, 20	10			
Agency Decision Requiring Compliance History:	Enforcement	•			
Compliance Period:	December 01, 20	05 to December 01, 2010)		
TCEQ Staff Member to Contact for Additional Info	rmation Regarding t	his Compliance History			
Name: Miriam Hall	Ph	one: (512) 239 - 1	1044		
	Site C	ompliance History C	omponents		
1. Has the site been in existence and/or operation	for the full five year	compliance period?	Yes		
Has there been a (known) change in ownership Hyes, who is the current owner/operator?	/operator of the site	during the compliance pe		No	
4. If Yes, who was/were the prior owner(s)/operate	tor(s)?		N/A N/A		-
5. When did the change(s) in owner or operator of	occur?		N/A		••
6. Rating Date: 9/1/2010 Repeat Violator:	NO				
Components (Multimodia) for the Site :					
Components (Multimedia) for the Site : A. Final Enforcement Orders, court judgm N/A	ents, and consent c	ecrees of the State of Te	xas and the fede	eral government.	
B. Any criminal convictions of the state of N/A	Texas and the fede	ral government.			
C. Chronic excessive emissions events.					
N/A					
D. The approval dates of investigations. (CCEDS Inv. Track.	No.)			
1 07/14/2010 (8412	296)				
E. Written notices of violations (NOV). (C	CEDS Inv. Track. N	0.)			
F. Environmental audits.					
Notice of Intent Date: 07/09/2009 Disclosure Date: 12/01/	, ,				•
Viol. Classification: Moderate Citation: 30 TAC Chapter 1	106, SubChapter O				
30 TAC Chapter 1 Description: Failure to register fo	106, SubChapter A r Permits bv Rule (F				
Disclosure Date: 06/01. Viol. Classification: Moderate					
Citation: 30 TAC Chapter	106, SubChapter O				
30 TAC Chapter 1	106, SubChapter A	100.4			

Description: Failure to register for Permits by Rule (PBR).

Type of environmental management systems (EMSs).

G.

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance,

N/A

Sites Outside of Texas

N/A

Penalty Calculation Worksheet (PCW) Policy Revision 2 (September 2002) PCW Revision October 30, 2008 DATES Assigned 1-Nov-2010 PCW #16-Nov-2010 Screening 5-Nov-2010 EPA Due RESPONDENT/FACILITY INFORMATION Respondent Devon Energy Production Company L.P. Reg. Ent. Ref. No. RN105780837 The ma Lou-Otis Tank Batte Facility/Site Region 7-Midland Major/Minor Source Minor CASE INFORMATION Enf./Case ID No. 40691 No. of Violations Docket No. 2010-1830-AIR-E Order Type 1660 Media Program(s) Air Government/Non-Profit No Multi-Media Enf. Coordinator Mriam Hall EC's Team Enforcement Team 4 Admin. Penalty \$ Limit Minimum Maximum \$10,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) \$1,000 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. 0.0% Enhancement Subtotals 2, 3, & 7 Compliance History \$0 The Respondent submitted one notice of intended audit and one disclosure of violations; however, because a reduction would be below zero, the enhancement defaults to zero. Culpability No 0.0% Enhancement Subtotal 4 \$0 The Respondent does not meet the culpability criteria. Good Faith Effort to Comply Total Adjustments Subtotal 5 \$250 \$0 0.0% Enhancement* Subtotal 6 Total EB Amounts \$5,415 *Capped at the Total EB \$ Amount Approx. Cost of Compliance SUM OF SUBTOTALS 1-7 \$750 Final Subtotal OTHER FACTORS AS JUSTICE MAY REQUIRE \$0 Adjustment Reduces or enhances the Final Subtotal by the Indicated percentage Notes Final Penalty Amount \$750 STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$750 20.0% Reduction Adjustment -\$150 Reduces the Final Assessed Penalty by the Indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Deferral offered for expedited settlement.

removed and common control and a state of the state of th

\$600

Notes

PAYABLE PENALTY

Respondent Devon Energy Production Company, L.P.

Case ID No. 40691

Reg. Ent. Reference No. RN105780837 - Thelma Lou-Otis Tank Battery

Media [Statute] Air

Enf. Coordinator Mirlam Hall

Policy Revision 2 (September 2002) PCW Revision October 30, 2008

Component	ory <i>Site</i> : Enhancement (Subtotal 2) Number of	Enter Number Here	Adjus
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	9	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (<i>number of</i> orders meeting criteria)	Ð	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	n	0%
Jüdgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	-0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non- adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	O	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		-1%
nadies P	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which</i> violations were disclosed)	1	-2%

THE PROPERTY OF THE PROPERTY O	ase enter res or No	
Environmental management systems in place for one year or more	No	0%
Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Participation in a voluntary pollution reduction program	No	0%
Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2)

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3)

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7)

>> Compliance History Summary

Compliance History Notes

The Respondent submitted one notice of intended audit and one disclosure of violations: however, because a reduction would be below zero, the enhancement defaults to zero.

Total Adjustment Percentage (Subtotals 2, 3, & 7)

Screening Dat	e 5-Nov-2010	Docket No	2010-1830-AIR-E	**************************************	PCW
	t Devon Energy Production Com	npany, L.P.		Policy Revision 2	(September 2002)
Case ID No	Est!	= 1 =		PCW Revision	October 30, 2008
Reg. Ent. Reference No Media (Statute	RN105780837 - Thelma Lou-C	otis Tank Battery			
Enf. Coordinato					
Violation Number					
Rule Cite(s					ans executed
	'' 30 Tex Admin, Code § 106	5.4(c) and Tex. Healt	h & Safety Code § 382	.085(b)	. Sections to
					- All Property and
Violation Description	Failed to maintain all em n Specifically, on October 7,				***************************************
Violation Description		king by a TCEQ inves		# 21 - T\$9	27
	新聞·蒙古古典學/文字/			entrar Stap N	
			Bas	e Penalty	\$10,000
				- <u></u>	Water
>> Environmental, Prop	erty and Human Health I Harm	Matrix			привельного
Releas		Minor			en debruy Maria
O.R Actu		×	, —·		e Aberelle ferr
Potent	al		Percent 10%		, and philade
>>Programmatic Matrix			de Parlament de Caracian		a lamboristation
Falsification		Minor	The state of the s		Animarra
			Percent 0%		and their
					- 4
	ealth or the environment have be				ağını beriled
Notes exceed lev	els that are protective of human	health or environme violation.	ental receptors as a res	ult of this	are delication of the state of
	Mark to the second second second	Violations		3.8.5	*****
			Adjustment	\$9,000	West in
16-18-18-18-18-18-18-18-18-18-18-18-18-18-				<u> </u>	\$1,000
Violation Events	The Common Commo	ments at the mean configuration of the second property of the second		The second secon	

Number o	f Violation Events	65 4 2 1 20	Number of violation	days	
	daily				Agrange to
	weekly				A A A A A A A A A A A A A A A A A A A
mark only on	monthly			*	
with an x	quarterly x		Violation Bas	se Penalty	\$1,000
	semiannyal;				and remote the second s
	single event				Spelle repopulation
TO PARAMETER .		********			
10.00 April 10 May 10 M		auant la rassermana			10 PF 40 PF
	One quarterly	event is recommend	seu		
Good Faith Efforts to Co		Reduction NOV to EDPRP/Settlemen	- Office	Addition to the indicate of a control of the contro	\$250
	Before NOV Extraordinary	NOV to EDPRP/Settlemen	11 Offer		
	Ordinary				
		(mark with x)		=	
1	The valve v	was replaced on Octo	ber 8, 2010, and the		
	NATACII - C - C - C - C - C - C - C - C - C	was issued on Octo	Company of the property of the property of the company of the comp	1	
				빏	
			Violatio	n Subtotal	\$750
Economic Benefit (EB) f	or this violation		Statutory Lim	ir Tast	
			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
Estin	ated EB Amount	\$0	Violation Final Pe	nalty Total	\$750
	This viol	ation Final Assesse	ed Penalty (adjusted	for limits)	\$750

n verlaga kermula yang dari sebesah bermelangan. Managa dari kananda dari bermelang sebesah bermelang sebesah bermelang sebesah bermelang sebesah bermelang se	Ec	onomic	Benefit	Wor	ksheet		
Respondent	A	Production Comp	Brown A. Service Branch Carried and Street Service.			e in a securitar a securitaria.	AND
Case ID No.		•	**				
Reg. Ent. Reference No.		- Thelma Lou-Otl	s Tank Battery				
Media			•				Years of
Violation No.						Percent Interest	Depreciation
			eyen yarubiga zunikizi yang adhare		PROFESSIONE PROFESSION FOR	5.0	15
	Item Cost	Date Required	Final Date	Vre	Interect Saved	Onetime Costs	EB Amount
Item Description					interest saved		NAME OF STREET
Atem Description	i wa comminas or \$	////					The state of the s
Delayed Costs				5 4462534501			AND SALES OF AUTOMOTION
Equipment	\$100	7-Oct-2010	8-Oct-2010	l 0.00 l	\$0	\$0	\$0
Buildings	50 100 St. 10 10 44	7 000 2010	8-OCC-2010	0.00	\$0	\$0 \$0	\$0
Other (as needed)	L. Des Lateration (1986)			0.00	\$0	\$0	\$000
Engineering/construction		. 4000 S981035 KKSS6 688 JEC	5012179807941151	0.00	\$0	\$0	\$0
Land	2000-000	18.000000000000000000000000000000000000	ni vigación Nevección.	0.00	\$0	al Pickin/alatin	\$0
Record Keeping System	3000 Book 600 8488		Borres, order tolor	0.00	\$0	awaiiii n/azaza	\$0
Training/Sampling	2023, 1-0200000, 1957, 177, 167			0:00	\$0	or New In/arran	\$0
Remediation/Disposal	200000000000000000000000000000000000000		grade you be known	0:00	\$0	in/a ======	\$0
Permit Costs		3163113011340 (1651) (22.020)	trajec a la com	0.00	\$0	atawa n/a	\$0
Other (as needed)	1,0000000000000000000000000000000000000		PARAMOTE PARAM	0.00	\$0	n/a ≔	\$0
Notes for DELAYED costs Avoided Costs	x 22425			enterin	g Item (except	eaking to compliand for one-time avoid	
Disposal	es essecueix es partir de la company			0.00	\$0	\$0	\$0:
Personnel		000000000000000000000000000000000000000		0.00	\$O	\$0	\$0
Inspection/Reporting/Sampling			>8000000000000000000000000000000000000	-0.00	\$0	\$0	2 \$0
Supplies/equipment	000000000000000000000000000000000000000		elenerouseeronoeroseeren e	0.00	\$0	\$0	*
Financial Assurance [2]				0.00	\$0	\$0 - 2	\$0
ONE-TIME avoided costs [3] Other (as needed)		Conference Strategies and the Strategies of Strategies (Strategies Strategies (Strategies Strategies Strategie	i islongot retakungai producera. Yanarahasa 1941, 1940 (b.281).	0.00	\$0 \$0	:	\$0 \$0
Notes for AVOIDED costs				<u> 0.001</u>	\$U		\$0 00 7 00 00 00 00 00
Approx. Cost of Compliance		\$100		50 40 40	TOTAL		\$0

Compliance History

Customer/Respondent/Owner-Operator:		CN600132344	Devon Energy Production Company, L.P.	Classification: AVERAGE	Rating: 2.66		
Regulated Entity:		RN105780837	THELMA LOU-OTIS TANK BATTERY	Classification: HIGH	Site Rating: 0.00		
ID Number(s):		AIR NEW SOUR	CE PERMITS REGISTI		92113		
Location:		APPROXIMATEL	HE WEST SIDE OF CRANE AVENUE, Y 0.7 MILE SOUTH OF INTERSTATE 20, SSA, ECTOR COUNTY				
TCEQ Region:		REGION 07 - MIC	DLAND				
Date Compliance History Prepared:		December 01, 2010					
Agency Decision Requiring Compliance History:		Enforcement					
Compliance Period:		December 01, 2005 to December 01, 2010					
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History							
Name:							
		014- 0					
			ompliance History Components				
	site been in existence and/or operation	•		NI-			
	ere been a (known) change in ownership. who is the current owner/operator?	operator of the site	during the compliance period?	No			
0.11100,	and to the densite owner operator.		N/A		-		
4. If Yes,	who was/were the prior owner(s)/operat	or(s)?	N/A				
5. When did the change(s) in owner or operator occur? N/A					-		
6. Ratin	g Date: 9/1/2010 Repeat Violator;	NO			•		
Compon	ents (Multimedia) for the Site:						
A.		ents, and consent d	ecrees of the State of Texas and the federa	al government.			
	N/A _,						
B.	Any criminal convictions of the state of Texas and the federal government. N/A						
C	Chronic excessive emissions events.						
C.							
_	N/A						
D.	The approval dates of investigations. (0		No.)				
	1 07/14/2010 (8413	•					
	2 09/24/2010 (8651	•					
	3 10/15/2010 (8704						
	4 11/18/2010 (8778	308)					
E.	Written notices of violations (NOV). (Co	CEDS Inv. Track. N	0.)				
	N/A						
F.	Environmental audits.						
	Notice of Intent Date: 07/09/2009 Disclosure Date: 12/01/	• ,					
	Viol. Classification: Moderate Citation: 30 TAC Chapter 1	06, SubChapter O	106 352				
		106, SubChapter O 106, SubChapter A					
	Description: Failure to register for	,					
G.	Type of environmental management sy						
	N/A				•		

Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program,

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
DEVON ENERGY PRODUCTION	§	TEXAS COMMISSION ON
COMPANY, L.P.	§	
RN105780613, RN105780712,	§	
RN105780746, AND	§	ENVIRONMENTAL QUALITY
RN105780837		-

AGREED ORDER DOCKET NO. 2010-1830-AIR-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Devon Energy Production Company, L.P. ("the Respondent") under the authority of Tex. Health & Safety Code ch. 382 and Tex. Water Code ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

- 1. The Respondent owns and operates tank batteries (the "Tank Batteries") at the following locations:
 - a. Off Cattle Drive, approximately 0.4 mile north of State Loop 338, south of Odessa, Ector County, Texas (the "Floyd Tank Battery");
 - b. On a private road, approximately two miles east of the intersection of State Highway 385 and State Loop 338, and 0.3 mile south of State Loop 338, south of Odessa, Ector County, Texas (the "Aunt Bee Tank Battery");
 - c. On a private road, approximately 1,600 feet south of State Highway 338 and 1,000 feet west of South Holloman Avenue, south of Odessa, Ector County, Texas (the "Helen Crump Tank Battery"); and

- d. Adjacent to the west side of Crane Avenue, approximately 0.7 mile south of Interstate 20, south of Odessa, Ector County (the "Thelma Lou-Otis Tank Battery").
- 2. The Tank Batteries consist of one or more sources as defined in Tex. Health & Safety Code § 382.003(12).
- 3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about October 20, 2010 and November 2, 2010.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Seventy-Two Thousand Seven Hundred Seventy-Seven Dollars (\$72,777) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Fifty-Eight Thousand Two Hundred Twenty-Three Dollars (\$58,223) of the administrative penalty and Fourteen Thousand Five Hundred Fifty-Four Dollars (\$14,554) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Floyd Tank Battery:
 - a. On September 24, 2010, installed a rental auto-ignite flare;
 - b. On September 25, 2010, repaired the line that was leaking on September 24, 2010 and modified procedures to open up wells in a more controlled fashion to prevent over pressuring and rupturing of poly lines from occurring;
 - c. On October 12, 2010, installed a high pressure vapor recovery unit ("VRU");
 - d. On November 17, 2010, submitted an application for a standard permit;

- e. On November 23, 2010, installed a lease accounting custody transit ("LACT") metering system to replace tanker truck loading of oil with pipeline oil sales;
- f. On December 17, 2010, installed a permanent auto-ignite flare;
- g. On January 5, 2011, installed sales gas compression to allow separators to operate at a consistently low pressure with the gas being compressed into the sale line; and
- h. On January 7, 2011, obtained Standard Permit Registration No. 94078.
- 10. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Aunt Bee Tank Battery:
 - a. On September 14, 2010, installed a rental auto-ignite flare:
 - b. On November 5, 2010, installed a high pressure VRU;
 - c. On November 23, 2010, installed a LACT metering system;
 - d. On November 29, 2010, submitted an application for a standard permit;
 - e. On December 14, 2010, installed a permanent auto-ignite flare;
 - f. On January 7, 2011, obtained Standard Permit Registration No. 94174; and
 - g. On January 11, 2011, installed sales gas compression.
- 11. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Helen Crump Tank Battery:
 - a. On October 13, 2010, installed a rental auto-ignite flare;
 - b. On November 12, 2010, installed a high pressure VRU:
 - c. On November 29, 2010, submitted an application for a standard permit;
 - d. On December 2, 2010, installed sales gas compression:
 - e. On December 17, 2010, installed a permanent auto-ignite flare;
 - f. On January 10, 2011, installed a LACT metering system; and
 - g. On January 13, 2011, obtained Standard Permit Registration No. 94179.
- 12. The Executive Director recognizes that on October 8, 2010, the Respondent replaced the leaking valve at the Thelma Lou-Otis Tank Battery.
- 13. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement

proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

- 14. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 15. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Tank Batteries, the Respondent is alleged to have:

- 1. Failed to obtain permit authorization for the Floyd Tank Battery, in violation of 30 Tex. ADMIN. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b), as documented during investigations conducted on September 16 through October 7, 2010. Specifically, the Respondent exceeded the annual emission rate of 22.8 tons per year ("tpy") of volatile organic compounds ("VOC") emissions certified and registered under PBR Registration No. 91767, issued on February 24, 2010, by 43.3 tons of VOC; therefore, the Floyd Tank Battery cannot satisfy the conditions of the PBR for oil and gas production facilities.
- 2. Failed to submit an abbreviated application for a federal operating permit when the potential to emit ("PTE") exceeded 100 tpy of VOC at the Floyd Tank Battery, in violation of 30 Tex. Admin. Code §§ 122.121 and 122.130(b)(1) and Tex. Health & Safety Code §§ 382.054 and 382.085(b), as documented during investigations conducted on September 16 through October 7, 2010 and October 8 through 19, 2010. Specifically, in the PBR registration, the natural gas throughput was certified/represented as 120,000 standard cubic feet per day ("scf/day"). Throughput data from September and October 2010, showed throughput as high as 970,000 scf/day with an average of 800,000 scf/day. Based on this data, the PTE is approximately 152 tpy of VOC.
- 3. Failed to prevent nuisance emissions on September 24, 2010 at the Floyd Tank Battery, in violation of 30 Tex. Admin. Code § 101.4 and Tex. Health & Safety Code § 382.085(a) and(b), as documented during an investigation conducted on September 16 through October 7, 2010. Specifically, the Odessa Fire Department ("OFD") responded to a report of a natural gas leak at the Floyd Tank Battery, arriving at 6:36 a.m. on September 24, 2010. The OFD found a gas line venting, and the OFD's gas monitor showed a reading of 11% of the lower explosive limit.
- 4. Failed to prevent nuisance odor emissions on September 29, 2010, at the Floyd Tank Battery, in violation of 30 Tex. Admin. Code § 101.4 and Tex. Health & Safety Code § 382.085(a) and(b), as documented during an investigation conducted on September 16 through October 7, 2010. Specifically, TCEQ investigators responding to an odor complaint, observed visible emissions from the Enardo valve and tank hatch from one of the four tanks at the Floyd Tank Battery and confirmed a nuisance odor off-site and downwind of the tanks.

- 5. Failed to obtain permit authorization for the Aunt Bee Tank Battery, in violation of 30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b), as documented during an investigation conducted on September 13 through October 8, 2010. Specifically, the Respondent exceeded the throughput rate for natural gas and the annual emission rate of 22.45 tpy of VOC certified and registered under PBR Registration No. 92134, issued April 8, 2010, by 9.85 tpy of VOC; therefore, the Aunt Bee Tank Battery cannot satisfy the conditions of the PBR for oil and gas production facilities.
- 6. Failed to submit an abbreviated application for a federal operating permit when the PTE exceeded 100 tpy of VOC at the Aunt Bee Tank Battery, in violation of 30 Tex. Admin. Code §§ 122.121 and 122.130(b)(1) and Tex. Health & Safety Code §§ 382.054 and 382.085(b), as documented during an investigation conducted on September 13 through October 8, 2010. Specifically, in the PBR registration, the natural gas throughput was certified/represented as 119,000 scf/day. Throughput data from September 2010 showed throughput at 650,000 scf/day. Based on this data, the PTE is approximately 122.63 tpy of VOC.
- 7. Failed to obtain permit authorization for the Helen Crump Tank Battery, in violation of 30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b), as documented during an investigation conducted on October 14 through 27, 2010. Specifically, the Respondent exceeded the throughput rate for natural gas and the annual emission rate of 21.48 tpy of VOC certified and registered under PBR Registration No. 93540, issued October 20, 2010, by 8.22 tons of VOC; therefore, the Helen Crump Tank Battery cannot satisfy the conditions of the PBR for oil and gas production facilities.
- 8. Failed to submit an abbreviated application for a federal operating permit when the PTE exceeded 100 tpy of VOC at the Helen Crump Tank Battery, in violation of 30 Tex. ADMIN. CODE §§ 122.121 and 122.130(b)(1) and Tex. Health & Safety Code §§ 382.054 and 382.085(b), as documented during an investigation conducted on October 14 through 27, 2010. Specifically, in the PBR registration, the natural gas throughput was certified/represented as 122,000 scf/day. Throughput data from September 2010 showed throughput at up to 736,000 scf/day. Based on this data, the PTE is approximately 123.2 tpy of VOC.
- 9. Failed to maintain all emission control equipment in good working order at the Thelma Lou-Otis Tank Battery, in violation of 30 Tex. Admin. Code § 106.4(c) and Tex. Health & Safety Code § 382.085(b), as documented during an investigation conducted on October 7, 2010. Specifically, on October 7, 2010, a Kimray diaphragm valve was found to be leaking by a TCEO investigator.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Devon Energy Production Company, L.P., Docket No. 2010-1830-AIR-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, submit administratively complete permit applications, in accordance with 30 Tex. Admin.Code § 116.110(a), to revise or amend the following standard permits to authorize vapor recovery vessels ("VRVs"), associated VRV sales compression, and auto-igniting flares to control storage tank VOC emissions and VRV sales gas compression emissions when the gas gathering company sales line pressures are excessive:
 - i. Standard Permit Registration No. 94078 for the Floyd Tank Battery;
 - ii. Standard Permit Registration No. 94174 for the Aunt Bee Tank Battery; and
 - iii. Standard Permit Registration No. 94179 for the Helen Crump Tank Battery.
 - b. Submit the permit applications required by Ordering Provision Nos. 2.a.i. through 2.a.iii to:

Air Permits Division, MC 162 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

c. Respond completely and adequately, as determined by the Air Permits Division, to all letters requesting information concerning the following permit revisions/amendments within 30 days of the date of such letters, or by any other deadline specified in writing.

- d. Within 60 days of obtaining the permit revisions/amendements, install the VRVs and associated equipment at at the following:
 - i. Floyd Tank Battery;
 - ii. Aunt Bee Tank Battery; and
 - iii. Helen Crump Tank Battery.
- e. Within 180 days after the effective date of this Agreed Order, submit written certification to demonstrate compliance with Ordering Provision Nos. 2.a. and 2.d. at the following:
 - i. Floyd Tank Battery;
 - ii. Aunt Bee Tank Battery; and
 - iii. Helen Crump Tank Battery.
- f. The written certifications required by Ordering Provision No. 2.e. shall be as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the Ordering Provision. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Air Section, Manager Midland Regional Office Texas Commission on Environmental Quality 3300 North A Street, Building 4, Suite 107 Midland, Texas 79705-5404

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Tank Batteries' operations referenced in this Agreed Order.
- 4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Agreed Order may be executed in separate and multiple counterparts, which 7. together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX, BUS, ORG, CODE § 1.002.
- 8. Under 30 Tex. Admin. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
For the Executive Director	7 31 2011 Date
I, the undersigned, have read and understand the aragree to the attached Agreed Order on behalf of the do agree to the terms and conditions specified therein accepting payment for the penalty amount, is material	entity indicated below my signature, and I n. I further acknowledge that the TCEQ, in
 I also understand that failure to comply with the and/or failure to timely pay the penalty amount, may A negative impact on compliance history; Greater scrutiny of any permit applications su Referral of this case to the Attorney Gener additional penalties, and/or attorney fees, or t Increased penalties in any future enforcement Automatic referral to the Attorney General's and 	result in: bmitted; al's Office for contempt, injunctive relief, to a collection agency; actions; Office of any future enforcement actions;
• TCEQ seeking other relief as authorized by lav In addition, any falsification of any compliance docur Signature	
Name (Printed or typed) Authorized Representative of Devon Energy Production Company, L.P.	Senior Vice President-Western Division

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

